## FREEDOM OF INQUIRY

Supporting the Library Bill of Rights \*

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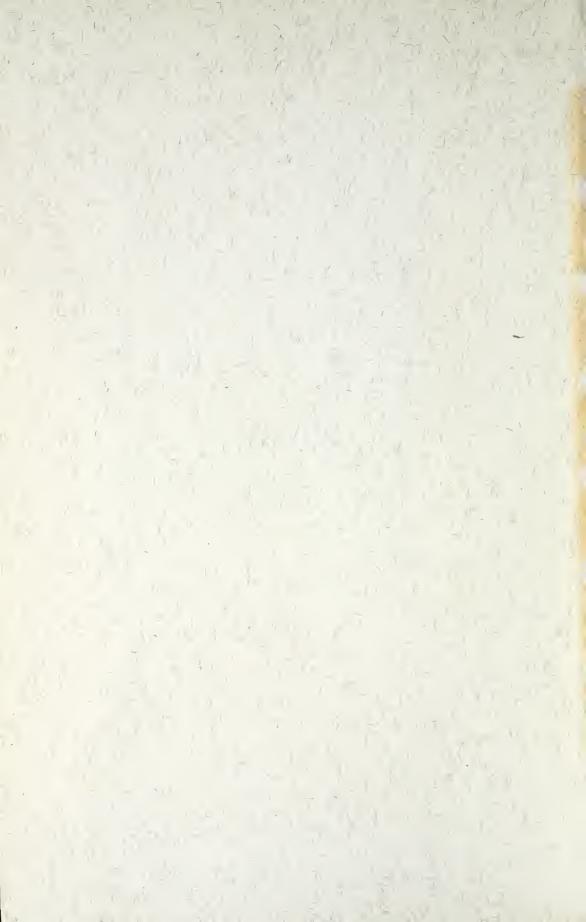
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Proceedings of the Conference on Intellectual Freedom January 23-24, 1965 Washington, D.C.

American Library Association



# FREEDOM OF INQUIRY

Supporting the Library Bill of Rights

Proceedings of the Conference on Intellectual Freedom January 23-24, 1965 Washington, D.C.

Sponsored by the American Library Association Intellectual Freedom Committee

AMERICAN LIBRARY ASSOCIATION



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### American Library Association

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### Conference Background

by Archie L. McNeal

The American Library Association has long been concerned with problems of intellectual freedom and the right of the individual to choose what he shall read. Since 1940, the Committee on Intellectual Freedom has carried the responsibility for the Association in this field.

The Library Bill of Rights states certain principles to which ALA subscribes with regard to censorship and to the rights of individuals to use libraries. Among the statements is the following:

"Libraries should enlist the cooperation of allied groups in the fields of science, of education, and of book publishing in resisting all abridgment of the free access to ideas and full freedom of expression that are the tradition and heritage of Americans." [The complete text of the Library Bill of Rights will be found on page 70.] This conference is such an effort.

During the period 1959-64 the committee faced many problems. The attempts at censorship varied from concern over black and white rabbits to *Tropic of Cancer*. In the civil rights struggle, the library in some communities became a focal point.

The addition of a strong statement on the rights of an individual to use libraries without regard to race, religion, or political views in 1961 gave unequivocal evidence in support of civil rights.

The decision to further this purpose resulted in a study of access to libraries throughout the U.S. with a fund of \$35,000 raised for the task. The published results, while the subject of some controversy, did much to record accomplishments in desegregation and point the way for other effective efforts.

Another tangible support of principle is apparent in the appearance of the ALA as amicus curiae in the Tropic of Cancer case (ALA Bulletin, April 1964). The statements

in this brief clearly affirm the position of the Association on censorship.

Along with these statements and action has developed a feeling of the need to do more and to be of greater assistance at the time of need when these problems arise. It is out of this feeling that a proposal was submitted which resulted in this conference.

This proposal set forth the following facts:

The Committee on Intellectual Freedom of the American Library Association has long felt the need for more direct and practical assistance to librarians and libraries in cases where abridgment is threatened to those principles set forth in the Library Bill of Rights. The ability of the Committee to render assistance is at present very limited. While modest assistance from the Association might be expected in cases of abridgment on an individual basis, where requested, there is no policy, no practical procedure and no fund set aside to make such assistance immediately helpful and meaningful.

In order to discuss ways and means of implementing the Library Bill of Rights, and to explore possible courses of action open to the American Library Association, it is proposed to convene the Committee on Intellectual Freedom at Washington on January 23 and 24, 1965, just preceding the Midwinter Conference. To this meeting, we propose to invite persons interested in the problem from other organizations with similar purposes.

We would expect the session to culminate in some specific proposals for a program of action on the part of the American Library Association, and for a delineation of steps necessary to implementation of active support of the Library Bill of Rights.

The J. Morris Jones-World Book Encyclopedia-ALA Goals Award jury announced at the ALA conference in St. Louis the allocation of \$7000 for the purpose of a preconference session during the ALA Midwinter Meeting in Washington. This has provided the support necessary to bring this conference into being.

### More Than Lip Service

by Martha Boaz

There is evidence that attacks on schools, libraries, and books are on the increase; that the authority of libraries and boards of library trustees is being threatened by individual or community pressure groups who are trying to remove books from libraries, prevent their acquisition by libraries, or, in other cases, force libraries to stock specific titles.

A number of censorship attempts have been widely publicized, but even more serious are those which never come to the light of day. I am speaking of librarians who anticipate trouble, and, fearful, frightened, weak, remove books from their shelves and hide them before the censor comes.

Booksellers in many states have complained of intimidation by police, who, being directed by self-appointed advocates of so-called "clean" literature, threaten police action unless certain titles are removed from the booksellers' shelves. Citizens' committees, with vigilante attitudes, are numerous.

Intensive campaigns have been waged by private pressure groups against books in school libraries. Parents of high school students have objected to such "obscene" books as Hawthorne's *The Scarlet Letter*, Pearl Buck's *The Good Earth*, and J. D. Salinger's *The Catcher in the Rye*. In one city Edgar Rice Burrough's "Tarzan" books were removed on the ground that Tarzan and his mate, Jane, had never married.

Textbooks have come under fire in almost a third of the state legislatures. Right-wing "pro-America" groups have been extremely energetic in attempting to screen textbooks or any other books they consider favorable to communism. Other extremist groups, probing for books which they consider to be obscene, claim that obscenity is part of a general attempt to destroy American moral fibre.

Organizations screening textbooks have included such influential groups as the Daughters of the American Revolution, who in a recent examination of 214 volumes found only fifty of which they approved.

In Texas, Virginia, and other states, official pressures have been brought on publishers requesting them to make changes in certain textbooks.

Pressure groups in the field of censorship take many forms. For the sake of brevity, however, they may be classified in four general categories: censorship dealing with so-called immoral and indecent subjects, censorship in the public schools, censorship in relation to religious problems or blasphemy, and censorship in relation to racial problems.

One of the basic tenets of the Library Bill of Rights is free access to ideas and full freedom of expression of ideas. This and the plan for representation of all points of view are merely extensions of the first and four-teenth amendments to the Constitution of the United States.

Our generation has been offered the dreadful burden of choice. In the market place of ideas, we stand both united and divided. Caste and class, pride and prejudice, intolerance and bigotry-these are our bonds and our chains. What is free choice to one is oppression to another; what is a beautiful picture to one is a dirty canvas to another. Our knowledge separates as well as unites; our arts bring us together and set us apart. An artist's or author's collective works and a reader's philosophy cannot rise to a higher level than his personal scale of values. Every person must assume the responsibility of setting his goals high. In no other way can he measure what must be rejected and set a goal for what must be achieved.

To take a stand against pressure groups requires courage, fortitude, and a willingness to sacrifice personal security. But as Elmer Davis said, "This nation was not built by cowards. It will not be preserved by cowards." If freedom of the mind continues to exist, it will require outspoken sponsors who make free inquiry and free expression their crusade.

### Censorship and Obscenity

by Dan Lacy

In most forms of censorship, society attempts to control the word because it is part of an act or may lead to an act. The seditious pamphlet is suppressed because it aims at the overthrow of government; the heretic is silenced lest he diminish the church's effectiveness. But blasphemy and obscenity are exceptions; they are thought to be offenses in themselves. It is true that one of the reasons put forth for silencing speech about sex is that it is said to stimulate immoral behavior, but in fact censors attack a great deal of speech and writing that could not conceivably have such an effect. "Obscene" words or pictures, like oaths, themselves become acts in the minds of censors, and their mere utterance an offense to be prevented or punished. One may describe a murder or a kidnapping or a burglary or a lynching in the most minute and vivid detail or depict it explicitly in painting or photography without partaking of the crime. But so to describe or depict a sexual act, however innocent of crime the act itself may be, or even to depict the unclothed body of a human, however beautiful, may be to become a criminal and undergo quite rigorous penalties of law.

This is a curious attitude of society, that may send a man to prison for years for having printed a mere description of an act, when the act itself might be considered no offense or but a venial one. Why is it that society is so tense about verbal or pictorial reference to sex? Everyone recognizes the common terms, so often four-lettered, for sexual organs and acts that are known to everyone in our society and are used from time to time in appropriate contexts by most of us. Their meaning is no different from that of their multiliteral synonyms which are used without embarrassment. Custom in these matters has no logic, and it is no doubt reasonable for the state to stop a man from shouting bawdy words into the ears of those they may offend. But why, when one may say "copulate" to the parson without blushing, should a man be jailed for using its quadriliteral equivalent in tacit print where it will be seen only by willing eyes? The human body is, or surely ought to be, a mystery to no one, and the schoolmarm may take her tender charges to the art gallery where they are taught to view the glowing flesh created by Goya or Rubens or Gauguin as part of their education. But their schoolmate who furthers his learning with independent reading in *Playboy* may be sent to the principal, and in an earlier day a publisher of nudes not certified as art risked a far graver punishment.

I suppose it is because in no other area of human life does society attempt to exercise a control so rigorous over an appetite so imperative. Since sexual acts are by their nature private, society can hope to control them only by "internalizing" its rules so that members of society discipline themselves. Hence from earliest childhood, by all manner of subtle and constant pressures, we are taught modesty and sexual self-control. Even the fundamental words-"virtue," "sin," "moral," and the like-take on a sexual connotation. When we say a woman is "immoral," we rarely mean that she is careless of her children or unkind to her husband or malicious to her neighbors, but that she has had sexual intercourse with one to whom she is not married. And when we speak of a man's "sin," we do not refer to his income-tax frauds or his abuses of his employees, but his lapses from chastity. And we all know how Adam fell.

But this discipline so built into us is warred against by every pulse of our hormones and uneasily maintains its hold. Even a slight temptation may be frightening to the virtuous man. And when that temptation takes a form that suggests that society itself tolerates sexual license, it can bring panic. When boys tell dirty jokes or scrawl obscenities, the virtuous man's defenses are not threatened

because he knows that boys are vulgar. But print is a respectable medium, and when the same crude words appear in books that are reviewed in the New York Times and bought by libraries, or when a magazine by describing the innocent daily life of its playmates suggests that quite nice girls like the one next door pose nude for its photographers, every basis of his tense self-discipline is undermined and a note of panic enters his protests. It is perhaps not so much sex itself that alarms the censor as it is the tacit social sanction suggested by permitting its open discussion. If there were like social pressures against eating any but chaste, permitted foods, a gourmet cookbook might be similarly alarming.

#### Feelings are intense

Whatever the internal motivation, the reaction of the censorious against the verbal or pictorial representation of sex has a fervid intensity that we see paralleled only in reactions against communism or racial integration (not surprisingly, the other two foci of censorship). All three of these reactions are characterized by a strikingly similar illusion of being overwhelmed by a tide. The squalid little pornography racket becomes a "two-billion-dollar industry" in the same way that the poor, patient, less-than-10 per cent of the population who make up the Negro race, so rarely other than docile under abuse, becomes a dark and rising menace to white womanhood, property values, and racial purity, and the bankrupt handful of American Communists, surely the most powerless, out-at-elbows aggregation that ever passed for a political party, becomes a Red tide against which we must protect ourselves by Birch societies or Minute Men. It is perhaps not surprising that the Ku Klux Klan shivers under its hood, back to the wall, defending itself at once against the tides of sex and communism and Negroes—a sort of generalized, interchangeable menace.

#### Waves of censorship

In the midst of this unreason, it is perhaps to be expected that society has had great difficulty evolving a rational pattern of social control of speech and writing relating to sex. In general, waves of censorship have come when a new technological development has made it possible to disseminate some aspect

of literature to a suddenly broadened audience. One such came in the quarter-century after 1860, when steam-powered rotary presses, machine-produced pulp paper, railroads, and nearly universal literacy combined to make mass-produced and distributed literature possible for the first time. A second followed the advent of the movies, bringing drama from Broadway to everybody. A third came when mass-marketed paperbound books brought the modern novel from the city bookstore to the village newsstand. Nudity in magazines may be bringing us a fourth.

Indeed, before the 1870's, there could hardly be said to be a policy toward obscenity in this country, though writers at least from Ben Franklin on were producing it. In 1873 came the passage of federal legislation prohibiting the importation or the carriage through the mails of obscene matter. These acts were paralleled by state laws making the publication or sale of such materials an offense. All were based in large part on a British act of 1857. Both British and American courts accepted a definition of obscenity laid down in the British case of the Queen v. Hicklin, decided under that act in 1868. This defined as "obscene" material whose tendency is "to deprave and corrupt those whose minds are open to such immoral influences, and into whose hands a publication of this sort may fall." Since almost any work might be convicted under such a definition, the protection of the courts was meaningless and for decades censorship was left to the untrammeled discretion of the police and the customs officers. Their practice varied. Nudity, unless unmistakably "art," and vulgar words were almost always a cause of suppression, but even such references to sex as occurred in the writings of Rousseau, Voltaire, Joyce, and other masters barred them as well.

In a 1933 case originating in Customs and dealing with Joyce's *Ulysses*, Judge Woolsey of the Federal District Court placed the first judicial limits on censorship, holding that the intent and character of the work as a whole must be considered, rather than isolated words or episodes, and that the court must also consider the probable effect of the work on a normal person rather than on one "open to such influences." This decision was not appealed to the U.S. Supreme Court, and that august body did not confront the constitu-

tional issues until 1949. In that year, a New York court's holding that Edmund Wilson's Memoirs of Hecate County was obscene reached the Supreme Court on appeal. It was argued by Doubleday, the book's publishers, and by a number of amici that no banning of "obscenity" as such was constitutional under the First Amendment, and that only those writings could be suppressed that were so brigaded with action as to present a "clear and present danger" of leading to unlawful acts. The court divided four-to-four with Mr. Justice Frankfurter abstaining and, hence, expressed no opinion.

#### Attempt to define "obscenity"

This same argument was again presented to the court in 1957 in the appeal of Samuel Roth, convicted of publishing a magazine called American Aphrodite. This time the court rejected the contention that the publication of obscene works enjoys the protection of the Constitution. It did hold, however, that a defendant charged with publishing an obscene work was constitutionally entitled to a judicial determination, including if necessary an appellate determination, as to whether the work was in fact obscene. And the court undertook for the first time to define "obscenity." The dominant theme of the work, it said, must be an appeal to prurient interest, and the work must exceed the community's bounds of permitted candor. Later it added that it must be patently offensive. But the most confusing element in the opinion was a statement that the reason obscenity did not enjoy constitutional protection was that it lacked all redeeming social value. This made it clear that obscenity and social value could not coexist, but did it mean that obscenity robbed a work of any social value it might otherwise have, or that the presence of social value cleansed a work of obscenity? Altogether, it was an exceptionally murky opinion.

Its meaning became somewhat clearer as the court, usually without a written opinion, applied the new standards to a number of individual works. Neither nudity, nor "immorality," nor vulgar words in themselves, it was apparent, could now render a work obscene. Indeed it seemed increasingly evident that the court was thinking of "obscenity" as embracing only "hard-core pornography"—furtively sold pictures of sexual acts and their verbal equivalents.

Meanwhile other decisions had reinforced the procedural rights of defendants. It had been held, for example, that a public official could not threateningly circulate a list of works to whose sale he objected, and that a bookseller could not be convicted of selling an obscene work unless it could be proved that he actually knew it to be obscene.

Finally, in the summer of 1964, the court wrote an opinion to clarify the 1957 Roth opinion. This was in the so-called Jacobellis case, involving an appeal from an Ohio decision that a film, The Lovers, was obscene. In reversing this decision, the court, through Mr. Justice Brennan, who had written the Roth opinion, made two important statements. One was that the "community" whose standards are to be applied is the nation. The other is that "social value" is to be judged first. It includes advocacy of issues and literary, artistic. or similar merit. If such social value is found, the constitutional protection is absolute, no matter how sexually explicit the work. The various tests of obscenity are to be applied only when a work is found to lack such values.

This is clear indeed, but unfortunately the opinion was joined in only by Mr. Justice Goldberg, though no doubt it would have the support of Justices Black and Douglas, who submitted a separate opinion holding all censorship unconstitutional. Mr. Justice Stewart upheld the decision, but on somewhat different grounds; and three justices dissented, though not necessarily disagreeing with all of the Brennan opinion. Hence we still cannot confidently say what the court's final interpretation of the *Roth* opinion will be.

#### The Jacobellis case

Nevertheless, I believe the Jacobellis case points out the way the law will develop. This should be highly gratifying to librarians as it would be to responsible authors and publishers. No responsible librarian would acquire, just as no responsible author would write or publisher issue, a work lacking in all social values, whether of advocacy or of artistic merit. Indeed, I believe the very fact that a professional librarian has chosen to expend public funds for the purchase of a book would normally be accepted by a court as persuasive expert evidence of its having such social value as to give it full constitutional protection. A librarian hence should

no longer need to be concerned about the police or the public prosecutor.

This, however, by no means ends the matter. A librarian may be now legally free to buy and circulate any work in which his professional judgment may see social values, just as a publisher may be legally free to publish any work in which such values inhere. But society's policies may be brought to bear on the library not only by the police and the courts, but by public opinion and pressure and by the library's trustees as well as by the librarian's own professional judgment. That professional judgment will, in any case, normally forego the use of limited acquisitions funds for the purchase of works of marginal taste. But beyond this, public pressures may seek to force the removal from the library of books of unquestioned value. Particularly is this likely to happen in connection with the high school library and with the assignment of paperbound books for independent reading by high school students.

So widespread is this type of pressure, and so much wider spread the cautious efforts of teachers and librarians to avoid it, that I believe it can be said to have had seriously harmful effect on the teaching of literature in many school systems. One of the findings regularly made in studies of the reading habits of young people is that there is a distinct falling off in reading in adolescence. Youths who have been avid readers as children may have become very infrequent readers indeed by their late teens. What seems to happen is that they outgrow juvenile books and never make the transition to adult books. One reason is that too often nothing happens in the high school English class to introduce the teenager to adult books. He does not have an opportunity to read books that honestly come to grips with life as he knows it to be, because his school may be afraid to use the works of Hemingway or Faulkner or O'Hara or Steinbeck or Baldwin. Teachers of English and high school librarians alike all over the country find themselves harassed by pressures that would seal off students in the classroom from the very books available on the newsstand and in the public library and praised in the literary reviews.

A similar wave of pressure, though usually aimed at a different level of material, strikes out against the bookstore and the newsstand. Sometimes it takes the form of actual arrests, as recently of employees of highly respected bookstores in Chicago and New Orleans for selling such works as those of James Baldwin and Henry Miller. But as the courts define the area of police discretion more narrowly, these pressures are increasingly extralegal, in the form of boycotts and harassments. Sometimes they are addressed only against magazines with photographs of nudes, sometimes against paperbound editions of works the librarian would be proud to have in his collections.

Hence it seems to me that the librarian, however secure legally, has two problems with which to deal. One is defending from extralegal pressures his own professional freedom to acquire and circulate materials. The other is discharging whatever responsibilities inhere in him as a community leader to help in preventing improper censorship activities even though they may not be aimed at his own institution. Successful solution of each of these problems depends on creating a wise and temperate public understanding of the issues.

Why, many, including many librarians, may ask, should responsible people any longer actively concern themselves with the problem, now that the courts have clearly protected the rights of serious works to be free of official censorship? Are not most censorship efforts now directed at trash of so little importance as hardly to warrant defense, even if it not be actually obscene? And in any event, is the issue of censorship versus freedom in the area of sex at all comparable to the same issue in connection with politics and economics? Why should we really care?

#### Some reasons why

There are a number of reasons why. One is that, as we have pointed out, the constitutional guarantees of a freedom to write and to publish by no means automatically guarantee the freedom of a teacher or librarian to exercise a free professional choice among available materials.

Another is that the methods and instruments of censorship remain the same, whatever its goals; and, indeed, alleged "obscenity" is not infrequently put forward as a mask for political and racial censorship. Who can believe that it was really a concern for "obscenity" that led to the arrest in New Orleans of the bookseller handling the works of James Baldwin or that caused the suppression of Lillian Smith's Strange Fruit? When fanatics have attacked school libraries, the writings of Eleanor Roosevelt and Archibald MacLeish are among those they have labeled "obscene." It is no accident that the countries most rigid and narrow in their suppression of discussion of sex—such as Spain, South Africa, Russia, and Communist China—are also those that practice the most complete political censorship. Censorship is indivisible.

So, too, is freedom. The same guarantees of due process of law that protect the news vendor protect us all. To look away when the police harass newsstands by intimidation and by arrests with no serious intention to prosecute is to invite harassment of ourselves. To suppose that we can ignore a vigilante group that boycotts a drugstore to enforce its views as to what magazines it should sell is to invite the community to ignore pressures from the same kinds of groups to enforce on the library their views as to book selection. Censorship is censorship and freedom is freedom.

Finally, let us not be too ready to join those who view today's greater candor in depicting and discussing sex as a wholly unfortunate byproduct of freedom from censorship. It is true that when the courts freed James Joyce and D. H. Lawrence they also freed the purveyors of a considerable amount of trash; and many newsstands today display a tiresome and leering collection of undistinguished nude photography, just as many novels display a repetitious and tiresome parade of quadriliteralism. It would be easy to conclude that an era of stricter censorship may have had its advantages.

But it is worth remembering that the years when Dreiser's Sister Carrie was banned and Shaw's Mrs. Warren's Profession could not be performed were also the years when large-

scale, organized, officially tolerated prostitution most abundantly flourished and annually demanded the sacrifice of the lives and hopes of tens of thousands of young girls. Precisely in the years when "syphilis" was an unspoken word, its ravages of human life were most brutal and most appallingly large. We can guess at a measure of the toll of prostitution and venereal disease. There is no way even to guess at the cost of sexual ignorance in terms of individual human misery, but we know that it is past calculation. There is little credible evidence that a free discussion of sex, or even that actual pornography, does any real social damage. But there is overwhelming evidence of the tragic consequences of the hushing of references to sex. None of the sexual problems with which we are confronted, whether social or personal, can be solved unless they can be openly faced. And this means faced not only in medical and sociological treatises, but also in novels and stories and poems and plays that can give us, each otherwise prisoned in his own limited experience, some inward sense of the range and nature of man's sexual life. This great, overflowing source of so much of life's meaning and passion and ecstacy and tragedy cannot be closed to the fullest human examination. Indeed, that puerile preoccupation with salacity that we deplore is itself the product of the kind of censorious attitude that makes of the tense majesty of sex a mere matter of furtive sniggers.

The problem of the orderly control of man's sexual life—that most personal of all his acts, but clothed with the most responsible of all social consequences—is as old as society. It has not been solved; it will never be truly solved, any more than the other great problems of life will be solved. We can only endeavor to make our efforts at solution with rationality, with a sense of humor, and with a generous and tolerant appreciation of the deeply human character of our own natures.

# Can Reading Affect Delinquency?

by William C. Kvaraceus

The issue of law, freedom to read, and morality, particularly as reflected in the threat of censorship, bubbles like an unpredictable geyser just below the surface of every American community. It can be released with the publication of any new bestseller or any fancy reprint of an old classic that treats sex as a biological fact or that looks into the darker corners of life. No matter how close to truth and beauty a literary work may reach, it always runs the risk of condemnation as a threat to morals and manners. In this fearful and protective mood, the community in which I labor (Boston) has in the past banned such literary works as Dreiser's An American Tragedy, Elinor Glyn's Three Weeks, Remarque's All Quiet on the Western Front, Sinclair Lewis' Elmer Gantry, Percy Marks's The Plastic Age, Hemingway's The Sun Also Rises, Caldwell's God's Little Acre, Lillian Smith's Strange Fruit, D. H. Lawrence's Lady Chatterley's Lover, Kathleen Winsor's Forever Amber, and, most recently, John Cleland's Memoirs of a Woman of Pleasure. In this paper I will examine some factors that relate to the fear, implicit in censorship, that reading of such literary works will corrupt behavior.

The American citizen spends a good part of his nonworking hours in various kinds of reading. In a national survey of leisure-time activities of Americans fifteen years of age and over, Opinion Research Corporation of Princeton reported that "reading magazines" and "reading books" represented the fourth and fifth most popular activities "engaged in yesterday," according to their sample of respondents. These reading activities were overshadowed only by "watching of TV," "visiting with friends and relatives," and "working around the yard and garden." 1

<sup>1</sup> "The Public Appraises Movies," A Survey for Motion Picture Association of America, Inc. (Princeton, New Jersey: Opinion Research Corporation, December 1957. Vol. II).

What are the effects on behavior of this time investment on reading, if indeed such activity can be unscrambled from the many other forces that shape behavior? More particularly, is there in the reading of certain kinds of literary works—such as are frequently removed from the bookshelves—a subversive threat to the reader's moral growth and development?

The primitive habit of blaming books—classics or comics—for delinquency and crime represents a simpleminded approach to a many-sided and complex phenomenon. At the same time, to deny the importance of the rich library experience in the development of the educated man is to negate the personal-social—cultural effects of reading. There is a marked and obvious difference in the way of life of the educated (readers) and the uneducated (nonreaders), although it may prove impossible to trace direct cause and effect between reading a book, banned or approved, and a particular form of behavior such as stealing, mugging, or raping.

The outstanding characteristics of the leisure-time activity of the delinquent boy or girl are, first, an aimlessness seen in a random quest for something to do, and second, an almost complete lack of adult guidance or supervision. Few adults stop to buy or select a book and place it in the hands of a potential delinquent.

Controlled studies of delinquents show them in significant contrast to nondelinquents in reading skills and interests.<sup>2</sup> Merrill reported, for example, that 22 per cent of her delinquents read nothing as against 11 per cent of the nondelinquent controls.<sup>3</sup> Delinquents more frequently are nonreaders, their

<sup>&</sup>lt;sup>2</sup> William C. Kvaraceus, Juvenile Delinquency and the School (New York: Harcourt, Brace, 1945); The Community and the Delinquent (Harcourt, Brace, 1954)

<sup>&</sup>lt;sup>3</sup> Maud A. Merrill, *Problems of Child Delinquency*-(Boston: Houghton Mifflin, 1947).

basic abilities in reading fall far below their nondelinguent counterparts, and they generally come from homes devoid of reading materials. As a result, retardation is unusually high, low school achievement and failing marks predominate, truancy becomes habitual, dislike for school and teacher is the rule rather than the exception, and early school leaving is often the delinquent's only solution to an unbearable and frustrating school situation. Books are not their best friends; they have become their worst enemies. A case may be drawn showing how nonreading sets a pupil out on the long road to delinquency. Removing books from the reading shelf to save delinquents is a vain and futile gesture, although it may satisfy the missionary zeal of the censor. In order to understand and cope with the freedom-toread problem, we will need to become better acquainted with the censorious mind.

### Preoccupation, projection, and perception: the censorious mind

The censorious minds in our society are supersensitive to what they deem salacious. They are fast to march in the name of prudence-if not prejudice. They condemn and suppress what tends to stir their sex impulses or what they imagine might stir the sex impulses of others or what they fear will lead to sexually impure and lustful thoughts. Embarrassed and repelled by the fact of human sexuality, they are intent on protecting others, especially the young, from the "unpleasant" and "dirty facts of life" in our social-economic system. Via suppression, like the Puritans and Victorians before them, the censorious mind is deeply and obsessively preoccupied with sex. In the hurried movement to protect others from any evil consequences of sex, the censor projects his own fantasies, fears, and guilt on those around him. At best he may tolerate the sex act, but only for the purpose of propagation; at worst he may disavow and condemn it. Thus the censor's values and needs strongly determine his perceptions.

Psychologists have reported in experiment that poor children imagine coins to be much bigger than rich children imagine them. The particular ways in which an individual—child or adult—perceives a situation, such as a passage in a novel, is a consequence of inherent psychological factors. Sex represents a

greater concern and threat to the censorious mind because somehow it has been made more conscious of sex. Like the poor child with the distortion of the size of the coins, the censor views sex in exaggerated terms. One or two four-letter words expressed in the vernacular suffice to condemn a literary work.

To illustrate our point: Recently in that unhappy state of South Africa an official customs censor barred a paperback edition of Thomas Hardy's The Return of the Native as "undesirable literature." Obviously the censor had not read the story of the Englishman who finally makes his way back home on Egdon Heath. In reading the title and with his psychological set, he perceived the word "native" as something black and undesirable and hence as something to be condemned in the land of apartheid. It is on such fragile projections as this that censorship spins its shaky and sticky web.

Turning now to the reader, what factors should be considered before we let out on loan or before we remove from the juvenile shelves books such as The Catcher in the Rye, Dictionary of American Slang, The Amboy Dukes, or The Group? I will discuss five focal principles as they relate to this question:

1. Principle of word and deed. There is a wide gulf between knowing and doing or between intellectual insights and behavioral insights. Most young offenders know the text of the law and the legal consequences of car theft, but their knowledge does not always inhibit their stealing the unlocked car from a parking lot. In the same sense, most of my education students have read the basic psychology texts but frequently fail to apply mental health principles they have learned either to themselves or in their teaching situations, in spite of the fact they may pass our written examinations with high honors. While there is a slight and positive correlation between knowledge and behavior, it is true that the millions of readers who follow the assaultive and sexually aggressive antics of Spillane's Mike Hammer or Fleming's James Bond remain staid and law-abiding citizens. Both of these tough and virile men defend the law by breaking it, both kill, both seduce or are seduced by women-it is never quite clear who is the subject and who the direct object of the four-letter predicates, but it is always dangerous and exciting.

It has been argued, and not without good

reason, that the vast army of readers of the standard murder mystery make better husbands and wives or fathers and mothers even though they have learned many novel and secret ways to commit murder. In fact, having carried out their baser misdeeds vicariously or in fantasy, they are perhaps safer to live with in the humdrum daily routine of kitchen, bedroom, and bath. Of course, if the reader begins to confuse reality with fantasy, he may soon end up in court or in hospital. We shall need to return to this possibility later. But with the younger readers, it may be more strategic to let them experience an illicit love affair in the fantasy of Peyton Place rather than in the back seat of a parked car in their home town. To restate our principle: The fact that a reader has acquired information or understanding as a guide to action is no guarantee that his attitudes and behavior will ipso facto be modified.

2. Principle of differential effect. Reactions to literary works are always highly individualistic. I am concerned here with something more than taste and judgment; my concern is with erotic response. Emotional engagement and psychological identification with characters in literature vary with the individual reader. Kinsey and his colleagues provide us with some insight concerning the range and intensity of stimulation found in literary materials.4 His interviews with 5699 males and 3952 females indicate that 40 per cent of men and 41 per cent of women acknowledged no erotic arousal. At the same time, 16 per cent of the women readers and 21 per cent of the men readers admitted "definite and frequent erotic response," whereas 44 per cent of the females and 38 per cent of the males were recorded as having "some erotic response." Accepting the Kinsey data at face value, we can conclude that reading literary materials evokes a measure or more of erotic response in more than half the adults.

The extent, duration, and intensity of erotic response while reading novels, essays, poetry, or other literary works will depend upon the general emotional content of the work, upon the specifically romantic materials that are included, upon the sexual vocabulary, and upon the description of the sexual encounter. But more than with the literary material itself,

<sup>4</sup> A. C. Kinsey and others, Sexual Behavior in the Human Female (Philadelphia: W. B. Saunders, 1953), p. 669-72.

the nature and intensity of the response will depend upon the reader's own capacity, predisposition, or readiness to be aroused psychologically.

As Douglas Waples and others well state:

The reader's total background of training and experience determines what meanings he will assign to particular words and passages; wide variations in such meanings have been revealed in recent studies. And, finally, his previous knowledge and his previous attitudes influence his whole understanding of and response to the publication. How much of it he credits, what he accepts and rejects, the criticisms and the applications he makes—in short, his various responses to the publication are determined by the kind of person the reader is, i.e., by the nature of his predispositions.<sup>5</sup>

Predispositions within the child's personality and character are already pretty well established by the time he picks up his primer; they are even more rigidly set by the time he begins to thumb through the heavier adult literature found in the high school. Any study of the possible negative effects of reading should more profitably be turned toward exploration of the first five years of life. The importance of early childhood in shaping personality and establishing psychophysical set or predisposition cannot be overstressed. Psychoanalytic case studies have reaffirmed often enough that most standards of behavior are learned at a very early age and become so engrained in the individual's patterns of response that they persist long after the situation in which they were learned has been erased by time and forgotten. Since the lessons learned in the preschool years have such a powerful and lasting impact on later experiences, such as reading, it becomes clear that we must look into the early life space of the reader in order to unlock or unravel the reasons why some youngsters and adults become sensitive, allergic, or immune to certain kinds of reading content. Thus, when an adult is pushed over by a book, we will find a greater part of the answer closer to the crib than between the covers of a questionable novel.

It is true that unstable, confused, and emotionally disturbed children (and adults) who

<sup>&</sup>lt;sup>5</sup> Douglas Waples and others, "Why They Read," in *The Process and Effects of Mass Communication*, Wilbur Schramm, editor (Urbana, Illinois: University of Illinois Press, 1955), p. 57.

have difficulty in distinguishing clearly between the world of fantasy and the world of reality can be further disturbed and confused by an exciting book. For these individuals, teacher, librarian, and parent may need to build a special reading diet of more "neutralized" reading materials. Just as we keep sweets out of the reach of the young diabetic, we may also need to take similar precautions with certain vulnerable children. Unfortunately, with many of these readers, even if the paperbacks are carefully screened and selected, a TV show, a failing grade, or a chum's sneer may send them off.

I believe it was Emerson who said, "The good reader makes the good book." And the old adage suggests in our case that "bad readers make bad books." Recall, if you will, how Stephen Vincent Benet's Bible-reading captain made a "bad book" out of the Good Book as he trafficked in black bodies and

souls with messianic justification.

3. Principle of the book as a source of hard-to-get information. The overemphasis on sex and the overproduction of sex signals in life, in literature, and in fantasy suggest that the subject remains a major problem for all of us: at least it is much with us late and soon. But this very overemphasis also carries a strong element of denial. Youngsters (and adults) begin to reason: "There is so much talk about it, it can't be real." The overproduction of sex materials and sex symbols in itself can be silencing or it can produce a plethora of Don Juan caricatures which are found in the pages of so much of our contemporary literature.

A thick curtain of silence surrounds sex in the American home and school. It is hard to get informed, although some high school and college students do develop skill in mating (even the degree of proficiency is greatly exaggerated) through the practicum of boy-girl relationships. They may know how, but they seldom know why. The result can be seen in young adults who are either uninformed or misinformed in the meaning and practice of sex behavior. The growing boy and girl have very few sources of information. Both the home and the school are either ill-equipped for or most uncomfortable with the task of satisfying curious and questioning minds. Hence almost all youngsters gain most of their information (and misinformation) from their peers in the back streets. Or they can acquire

it through the trial and error of direct experience with the usual hazards. With the selfimposed silence of parent and teacher, the best source and perhaps the only source of information is in the literature. Yet it is these very sources that are closed off for the inquiring mind.

Hollingshead, in the study of Elmtown's Youth, describes how the felt need for sex information was met by the boys who had

dropped out of school.

The boys avidly read salacious comic books sold by disreputable hangouts. These stores also commonly sell "sport," "screen," and "art" magazines so full of suggestive pictures and sex stories that they have been barred from the mails. On the racks of these stores, titles, such as How to Attain Perpetual Potency, The Forty-Three Positions, The Young Man's Guide, The Maiden's Fulfillment, Love's Dream Manifest, What Every Woman Hopes, Get Your Man and Hold Him, are prominently displayed along with legitimate screen, comic books, and popular magazines. The Public Library is not a hangout for any withdrawee.6

It is unfortunate that the school dropout cannot be lured into the library where he can make use of better sources of information than are available in a street-corner hangout.

Youth's need and readiness for sex information varies, but sex can become a boring topic as well as a risky one. Freud recognized this in one of his later papers:

... a cultural community is perfectly justified, psychologically, in starting by proscribing manifestations of the sexual life of children for there would be no prospect of curbing the sexual lusts of adults, if the ground had not been prepared for it in childhood. But such a community cannot in any way be justified in going to the length of actually disavowing such easily demonstrable, and, indeed, striking phenomena.

Today the secrecy surrounding sex comes close to a denial of an important aspect of man's basic nature.

4. Principle of therapy. The preceding discussion has centered mainly on questions concerning the corruption of behavior through the reading of certain types of literature in

<sup>6</sup> A. B. Hollingshead, Elmtown's Youth (New York: John Wiley, 1949), p. 407.

<sup>&</sup>lt;sup>7</sup> Sigmund Freud, Civilization and its Discontents (New York: W. W. Norton, first American edition, 1961), p. 51.

which there has been a heavy exposure of man's sexuality. Now, reversing the question: Can a "good book" salvage a "bad boy"? Is there a role for a teacher or a librarian to

play as bibliotherapist?

Historically one can always dig up a few examples of St. Paul-like personalities who have dramatically changed their course in life after reading an inspirational psalm, a moving passage of scripture, or even a line of purple prose. But lightning and lasting postreading conversions are few in number. They are seldom witnessed within the personal circle of friends, relatives, or clients.

Studies of the influence, for example, of biblical information on moral conduct are difficult to control and tend not to be conclusive, but they provide some data for discussion. An early study by Taylor and Powers reported higher correlation (r .50) between results on a Bible knowledge test and character ratings of teachers than were found with intelligence test scores (r .24).8 In other words, teachers were more favorably impressed with the behavior of youngsters who had more biblical knowledge, and the difference was not attributable to differences in intelligence. However in a similar study, Hightower reported little or no relationship between biblical information and various phases of moral behavior.9 Comparisons with teacher ratings of character and with cheating, lying, and unselfishness were disappointing or inconclusive. These are old studies, and it is significant that little research has been carried on in this area in the past several decades. Two reasons can be offered: First, it is difficult to isolate and to control all the relevant variables that influence moral behavior; and, second, the oversimplification of an hypothesis suggesting a direct relationship between the reading of certain literature and the complex dynamic of behavior—norm violating or norm conforming—offends the inquiring mind of the behavioral scientist. He no longer expects nor seeks to find simple or single explanations for delinquent behavior. Such research proposals for rehabilitation of delinquents, alcoholics, drug addicts, or neurotics would not receive serious consideration by the National Institute of Mental Health nor the private foundations.

The positive effects of continuous and concentrated reading of the "best and most serious literature" should be most in evidence in the behavior of the college graduate. After all, the major business of the college centers around book reading and the library. Yet studies at the college level indicate how difficult it is to obtain fundamental changes in personality and behavior. Jacob<sup>10</sup> and Sanford11 in separate studies indicate that a majority of students graduate from college not much different from when they entered. They report that the intellectuals become more intellectual, bohemians become more bohemian, and conservatives become more conservative. This is not so much a change in personality or character as a reinforcement of existing behavior traits. Radical changes are noted only within exceptional personalities and in exceptional institutions.

Nevertheless, one can still anticipate the generally benign effects of the reading habit among the young and the adult. Filling free time with book-reading activity will always be classified under the category of "good use of leisure." It will always represent a wholesome mental health activity. But in this day of passive, social, and mass-programmed leisure-time pursuits, reading can play a very special function. The library can preserve through individualized reading the important elements of reflective leisure and independence that are so lacking in the daily life of the American citizen. The passive, commercial, and unthinking activities in which so many young people and adults engage, and which are tied to mass media over which they have no control, represent a greater threat to the general welfare than does the loud and annoying element of youth we label delinquent. It is here that the library may make its greatest contribution. So long as library stacks remain open, the inquiring citizen can exercise his personal choice of entertainment in selecting any book to read. In doing so, he will

<sup>8</sup> H. R. Taylor and F. F. Powers, "Bible Study and Character," Journal of Genetic Psychology, 1928, p. 294-302.

P. R. Hightower, Biblical Information in Relation to Character Conduct, University of Iowa Studies of Character, III, No. 2, 1930.

<sup>&</sup>lt;sup>10</sup> P. E. Jacob, Changing Values in College (New York: Harper, 1937).

<sup>11</sup> Nevitt Sanford, The American College (New York: John Wiley, 1962).

also continue to exercise his mind, for read-

ing is more than viewing.

5. Principle of guidance. Studies of institutionalized delinquents have always revealed them to be singularly lacking in cultural accomplishments and interests, although they show marked athletic prowess and strength. Few of them can play a musical instrument; they seldom reveal any hobbies such as stamp collecting or building model airplanes or automobiles; they devote little time to reading or writing activities. We have indicated earlier that in Merrill's study there were twice as many nonreaders in the delinquent sample as against the number within the nondelinquent controls.12 This does not reflect any lack of innate aptitude or talent among the delinquent; but it does reaffirm the serious lack of interested adults who willingly take the time and trouble to introduce youngsters to the pleasures of collecting, playing a musical instrument, or reading a novel. Hence, when delinquents read a book or a magazine, it is generally to kill time while waiting for something else to do.

The delinquent and predelinquent are much in the need of direction and supervision of their reading. Guidance in reading for delinquents and for many other youngsters should include three kinds of assistance: 1) help in selection of reading materials; 2) help in developing and reinforcing their reading skills; and 3) help in discussion and assimilation of what has been read. The low reading skill accompanied by high reading interest level presents many problems in selection of appropriate books and magazines. Making material available with respect to these two criteria can do much to encourage and advance the reading habit. But what is even more frequently absent is the opportunity to discuss informally with another reader the significance and meaning of what has been read. A friendly dialogue between the reader and the parent, teacher, or librarian can do much to bridge the gap between word and deed, between what is read and what might be applied in meeting the problems of everyday living.

#### A symptom more than a cause

Finally, reading must be viewed more as a symptom than a cause of adjustment or maladjustment. Reading tends to reinforce what is already present and what has already been learned or experienced, frequently as far back as the early childhood years. Viewed in the chain of events that make up a young or old reader's daily life, reading will not change behavior so much as will direct experience and exposure. The sad and tortured lives that many youngsters live often sink beyond anything they might experience vicariously in the most questionable literature.

Numerous forces determine the extent and character of the effects of reading on behavior. The reader's background of experience, his predispositions and set, his emotional status, the confidence that he places in the author or the printed word all modify his reaction. Reading a specific book will seldom cause a "normal" or "average" child to go out and commit a similar act. However, with seriously disturbed and frustrated youth who no longer are able to distinguish between their world of reality and their world of fantasy, a steady and strong literary diet may develop receptivity for a type of response and may trigger behavior of a violent, sadistic, or aggressive nature. But this is the risk we must take in the preservation of freedom to read. And it is a small risk. (It is a minor consideration when compared to the risks taken in the general licensing of auto drivers whose weekly death toll amounts to a public slaughter.)

On the positive side, books will always play a very special role in everyday life, for they can help a child to live more fully in the world of reality and the world of the imagination. In this sense, books do make "the full man." Recognizing that there is and always will be a wide range in the quality of reading materials, from comics to classics, it may profit us to remember Cervantes' observation in *Don Quixote*, "There is no book so bad but something good may be found in it." Occasionally it may be worth the hunt to try and find the good.

### Censorship and the Public Schools

by Lee A. Burress, Jr.

I am glad to have the opportunity to discuss a subject of increasing concern to teachers. While objective evidence is lacking, it seems to teachers that the pressure of censorship is a growing part of school life today. If articles on censorship in education journals constitute a reliable index, teachers are much more concerned today than thirty years ago. When Education Index commenced publication in 1929, one article a year on censorship was published. In the most recent issues of Education Index, there are lengthy bibliographies on censorship. While to some degree, no doubt, this increased attention by teachers is the result of professional hubris at having their judgment questioned, there are substantial grounds for their fear that the curriculum may be weakened by the increasing censorship pressures.1

A brief look at the schools from a historical perspective may aid in understanding the re-

cent increase in censorship.

The public schools have undergone much change in the last 65 years. Prior to 1900, it was not uncommon for secondary school-teachers to engage in creative scholarly work. It is not unusual to find, if you study the local history of a given region, that the first collection of the flora and fauna or the geology of that area was made by a professor in the local academy. While much of this work was amateurish, no doubt, it was inspired by genuine intellectual curiosity and considerable breadth of vision.

With the rapid rise of high school populations in this century, the pressing need to find staff brought into the schools teachers who frequently had neither the inclination nor the time to pursue intellectual concerns. The buildings were not equipped with laboratories

<sup>1</sup>See the following study for a report on the interrelationships of literature, censorship, and the school curriculum in Ireland: Marion Witt, "Great Art Beaten Down: William Butler Yeats on Censorship," College English, XIII (February 1952), p. 248-58.

or libraries that might facilitate an atmosphere of intellectual pursuit. The small Kansas high school from which I was graduated in the mid-thirties had a few dusty volumes in the back of the study hall. Few students and instructors paid more than casual attention to the books there. The principal science was biology, taught by the football coach, who did little more than take his students through the text.

Let me not overemphasize the negative features of American secondary education. Considering the limited funds, the rapid rise in student population, and the continually overworked staffs, the idealistic faith of countless teachers in the possibilities of education doubtless accomplished many miracles. There was, however, great need to do more than provide buildings and teachers of any kind for the great mass of secondary school students, and we have, in fact, made much progress in elevating the intellectual level of the public schools.

One by one, most of the states have come to the requirement of a four-year college degree for all teachers, which in itself has begun to change the characteristics of the school staff. Tenure in many school systems has been a factor in permitting the development of a more independent school staff.

Critics such as Professor Arthur Bestor, Admiral Hyman Rickover, and James Bryant Gonant have focused attention on the schools in ultimately helpful ways. Federal legislation, such as the Smith-Hughes Act of the 1920's and the NDEA of the 1950's, has helped raise standards for the teaching staff and has significantly improved instruction.

It is, I believe, the improvement in instruction which has made censorship perhaps more of a problem in recent years than it may have been in the past. While censorship has always been a problem and no doubt will continue to be one until we have a more enlightened society than I foresee in the near future, a good

school system in our present society probably might expect to have more trouble than a

poor one.

One of the instructional improvements of immediate concern to censorship is in the use of books other than texts. A text is essential for a poorly prepared teacher, who would not know otherwise what to teach. If you put a text in his hand, he knows what to do. But the well-prepared teacher does not need to rely on the text. It has been a natural accompaniment of the rise of teacher preparation that much more use has been made in the schools of nontextbooks. It seems probable to me, in short, that the improvement in preparation and the great increase in the use of genuine books, instead of the artificial, predigested, intellectual sawdust which passes for texts in so many subjects, account in part for the rise in censorship. There was nothing to censor in my small Kansas high school library. In fact, there was little to read.

Another factor accounting in part for the rise in censorship is the increasing militancy of teachers. While their militancy is for the most part, and legitimately so, over matters of wages and working conditions, it tends also to express itself, I am glad to see, in matters of curricular import and book use. Not long ago, for example, a Wisconsin school board member who belonged to a radical right-wing organization objected to the use of the New York Times Book Review magazine in the school. One young teacher wrote a letter to the local paper protesting vigorously against this attempted censorship. The teacher won community support, and the matter was dropped. I was impressed by the willingness of the teacher to protest in this vigorous, and public, way. Such actions are not yet as frequent as I would wish, but I think they may be more likely today than they were some years ago.

The militancy of the teachers may also be seen in greater use of contemporary and controversial books than was true in the past. It is easy to be overimpressed with one's own times, and I don't know what yardsticks you can use in these matters. But in any case, censorship studies in Wisconsin suggest, and individual reports from across the country confirm, that teachers are aware of and are inclined to use much contemporary and frequently controversial literature. Representative samples from Wisconsin include James

Jones's The Thin Red Line, Golding's Lord of the Flies, James Baldwin's The Fire Next Time, and Remarque's A Time to Love and a Time to Die.

Whether these speculations have some measure of validity, I leave for you to decide, but it seems possible that the improvement in teacher preparation and in the status and working conditions of the profession and the generally higher level of intellectual achievement in the schools may account to some degree for an increased incidence of censorship.<sup>2</sup>

#### A study in Wisconsin

That the pressure of censorship is a prominent part of school life today seemed clearly indicated by a recent study of censorship in Wisconsin.<sup>3</sup> The Wisconsin Council of Teachers of English sent 1640 questionnaires to Wisconsin administrators and teachers. Slightly over 600 were returned. Of these, about one-third contained evidence which led to the major conclusion of the study, that a substantial proportion of the teachers of Wisconsin feel the continuing presence of censorship pressures and have experienced, or expect to experience, an overt expression of that pressure.

An interesting feature of the study was the widely different reactions of teachers to the pressure of censorship. I spoke earlier of the militancy of teachers. Not all teachers are militant, by any means. Many are unbelievably intimidated. Their timidity causes them to anticipate every possible objection and to attempt to insure that no one will ever have the slightest grounds to object to anything they do, nor has it occurred to them that there is anything wrong with this attitude.

One teacher wrote, "We older, experienced teachers are well aware of community standards, tastes, and limits of acceptance, and therefore we successfully steer our course. Younger teachers are guided by the principal and librarian." The younger teachers in some

<sup>3</sup> Lee A. Burress, Jr., "How Censorship Affects the Schools," Wisconsin English Journal, VI (October

1963), p. 6-28.

<sup>&</sup>lt;sup>2</sup> Other reasons are offered by Fred Millett in "The Vigilantes," Bulletin of the American Association of University Professors, XL (March 1954). p. 47-60. These include mass education, only half-successful, and cold war fears. David Riesman suggests the class conflicts as a cause in "Some Observations on Intellectual Freedom," The American Scholar, XXIII (Winter 1953-54), p. 15ff.

cases gratefully accept such guidance, as did one who wrote concerning The Catcher in the Rye, "It was a librarian who warned me about the above book." Other teachers, however, are not happy about such compromises. One of them wrote: "The community objects to what teachers consider mature literature. The administration and other teachers know that the objection exists. Since we do not get fully backed in other areas, and since we are told to be careful how we express ourselveswe must not sound like complainers-I assume that I should tread lightly in this area also. If the administration openly defended a teacher's choices, and if they let the new teacher know that she need not fear for her job in case of trouble over chosen books, I would be braver."4

There are braver teachers, and these frequently speak up, either to their administrators or to their school boards. During the period of time covered by the Wisconsin study, so far as I know, every teacher in Wisconsin who made an effort to defend his book choices was able to maintain the right. This is not invariably the case, and teachers have sometimes paid rather severe prices for insisting upon intellectual freedom in the schools. Their willingness to do so is a hopeful sign both for the schools and the welfare of the country as a whole.

Why some teachers are self-reliant and militantly insist upon professionally acceptable working conditions and other teachers do not is a puzzling question. There is need for much study of the conditions that develop self-reliance in making informed professional judgments. Little attention is paid in such matters in present curricula devoted to teacher training. In fact, teacher-training programs are more likely to emphasize the importance of public relations and conformity to the best interests of the school as an institution than the development of professionally competent and independent personalities. In spite of this lack, a fair share of present teachers are increasingly insistent upon exercising their best professional judgments in selecting and using

The Wisconsin study suggested that publicity is a useful weapon for protecting intellectual freedom in the public schools. Much centural freedom in the public schools.

sorship is done very quietly; in fact, the word "quiet" showed up frequently in the returns, along with such phrases as "cautious," "reasonable discretion," "given out judiciously," "nothing is said openly about such a policy," "to suggest that teachers be a bit careful." 5

But where teachers asked why, or insisted that public explanations be given for the removal of a book, then the book was much less likely to be removed. The Wisconsin study itself I think may be helpful, for it aroused some publicity in Wisconsin and focused attention on the problem.

There ought to be more studies of this sort, even if they repeat previous work. For one thing, it may be possible to establish guidelines, to learn something about varying degrees of incidence of censorship, and to suggest better methods of preparing teachers for dealing with censorship.

Such studies also show the capricious and ridiculous nature of censorship. Examples from Wisconsin are such objections as the following:

Shaw's Androcles and the Lion was objected to because, asserted a Wisconsin clergyman, Shaw was an atheist.

A Bell for Adano was objected to because it was alleged that it had a Russian author.

Crime and Punishment was objected to because it allegedly had too much profanity.

Fail-safe was objected to for fear that it might undermine confidence in America's defense system.

Gone with the Wind was objected to because of Scarlett's immorality.

Chekhov's *Lady with the Dog* was objected to because it had a Russian author.

The Ox-Bow Incident was objected to because of its language.

Costain's *The Silver Chalice* was objected to because of the description of the character Helena in the novel.

The Atlantic Monthly was objected to because it allegedly had crude and sensational articles. The New York Times Book Review magazine was objected to because it allegedly contained obscenity.

Today's Health was objected to because it dealt with the birth of a baby.

In another case in Wisconsin, a teacher was

prevented from using To Kill a Mockingbird because it wasn't a classic.<sup>6</sup>

To publish this kind of information seems a good way of using what Mark Twain called the human race's best weapon—laughter.

In addition to making studies and getting as much publicity as possible for attempted censorship actions, considerably more interdisciplinary cooperation is needed. The studies might well be cosponsored by various groups working together. A joint committee of the American Association of School Librarians and the National Council of Teachers of English is, in fact, currently considering a national study of censorship in the public schools. Hopefully, such studies might lead to action programs of various kinds.

For example, some educational groups have already considered the possibility of sanctions against school systems that fail to maintain satisfactory working conditions. The definition of satisfactory working conditions ought to be broadened to include intellectual freedom with special reference to book selection and book use. If such sanctions are imposed by interdisciplinary groups, they would be more effective than if by one group. For example, the English teachers find it hard to make official objections if a psychology teacher is fired for using a book objected to by the administration as did happen in Wisconsin. Of course, if there is no freedom for psychology teachers, there is not likely to be freedom for English teachers. But interdisciplinary action requires interdisciplinary cooperation.

There ought to be summer workshops on intellectual freedom, jointly sponsored by cooperating educational organizations, so that representative groups might work together. Rarely are public school teachers told in so many words that they have an obligation to work for intellectual freedom in the public schools. Such workshops would afford the opportunity to do just that. A workshop in Book Choice and Intellectual Freedom will be held at Wisconsin State University, Stevens Point, in July 1965.

#### Conflicts in the school

After discussing our posture, as it were when facing the pressures of censorship from

the outer world, let me turn your attention to problems that arise from conflicts within the institution of the school.

I was unhappily surprised to discover that a fair share of the problems that librarians have with censorship comes from teachers, who rather frequently disapproved of such books as The Catcher in the Rye, Children of Sanchez, a book on juvenile delinquency called Delinquency: Sickness or Sin. Hemingway's A Farewell to Arms, Ayn Rand's The Fountainhead, Michener's Hawaii, Hugo's The Hunchback of Notre Dame and Les Misérables, Golding's Lord of the Flies, Orwell's 1984, Steinbeck's Of Mice and Men and The Pearl, Lee's To Kill a Mockingbird, Henry G. Felsen's Two and the Town, the magazine America, the magazine Ebony (probably for racial reasons), some issues of Life magazine. and some issues of the Wisconsin Engineer (because of its rather broad jokes, which were torn out before the magazine was made available).7

Incidentally, since the publication of the report I have had two or three oral reports of teachers stealing an allegedly immoral book to keep it from circulation, in one case stealing the book two or three times as the librarian bought additional copies to replace the stolen one.

On the other hand, a different group of teachers have had censorship troubles with no doubt different librarians who either refused to buy or removed from circulation such books as the Bible, Brave New World, The Catcher in the Rye, Uris' Exodus, Warren Beck's The Final Score, Steinbeck's The Grapes of Wrath, Hardy's Jude the Obscure, Jon Rose's Peppercorn Days, Ruark's Something of Value, Conrad Richter's The Town, Felsen's Two and the Town, and such periodicals as The Christian Science Monitor, Life, Photography, and Theatre Arts. S One Wisconsin director of school library services refuses to buy any book which deals with war or has the word "war" in the title.

While censorship pressures from these sources were relatively less severe than from sources outside the school, they compel our attention and force us to raise questions about our professional training and the degree to

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

which we have established professional procedures for working together in the schools.

I believe that the problem posed here is partly a product of traditional methods of teaching literature. Censorship, both from without and from within the school, has as part of its ultimate source certain unexamined implications of the traditional approaches to literature. These approaches tend to objectify literature, to see it as an existent body of material classified by literary periods and nationality groups. The student's task is to learn as much as possible about this corpus, beginning perhaps with Homer's *Iliad* and ending practically with the established figures of the twentieth century. This is an impossible assignment, even for doctoral candidates; but at every level where literature is taught, the notion of covering the assigned body of material tends to govern the work of teaching.

This approach leads to the notion of an established canon, without which, it is believed, no one can be educated or literate. In fact, no one, or few persons, knows all the works in the canon, but each person compliments himself on what he knows and condemns those who do not know the works he knows. The coverage doctrine ignores the fact that no book is indispensable.

The notion of the indispensable book leads to the aesthetic heresy that to know about a book is as good as to know the book. The impossible teaching situations we create lead students and teachers to seek means of knowing about books without knowing books. Publishers meet this need with masterplots, college outline series, and periodicals devoted to the explication of various works. In response to student needs, the libraries stock such works.

With a series of outlines and notes, the student can learn the canon of the Romantic period or the seventeenth century; he can be supplied with the received opinion of the fashionable literary critics concerning the explication of the works under study. He may quite possibly earn a respectable grade from the course and yet read few or none of the works under study.

Professor Robert E. Spiller, one of our great contemporary literary historians, has recently written a regretful *apologia* for literary history, which might be consulted for a

corrective to my no doubt biased views.9 There is, however, sufficient truth in these charges to explain why many students are graduated from our colleges quite unable to read in any meaningful sense of the word. I. don't mean they are illiterate; they are, as David Riesman said, "half-educated."10 They cannot take a contemporary novel or poem and read it with a satisfactory understanding of the work's basic attitudes and implications. They may not, in fact, even be able to make accurate statements about the book's plot, let alone its themes. There is much complaint today about students' inability to write. A far more serious deficiency is their inability to read; ultimately, this deficiency is much more dangerous to literature, and to the Republic, than inability to write.

A surprising number of the objectors to various works used in Wisconsin schools claimed to have read the works; if true, this contradicts our usual assumption that wouldbe censors do not read the books to which they object. But in fact these objectors have not really read the works in the sense of having some reasonable degree of understanding of the work's basic purpose, though they may in fact have looked at most or all of the words in the book. Moreover, many of them are presumably educated persons—college graduates and professional people. Clearly the many years of English every educated person receives failed for those people in the most elementary fashion. It did not teach them to read.11

The librarian and English teacher also suffer from our present distorted methods of teaching literature. If the task of the literary person is to know about a received canon of literary works, then these are the works that should be in the library and that should be taught. If a book is not in the canon, it should not be in the library nor should it be read. Thus, The Wizard of Oz is not in the canon, so the student has no chance to exam-

<sup>&</sup>lt;sup>o</sup> "Is Literary History Obsolete?" College English, XXIV (February 1963), p. 345-51.

<sup>&</sup>lt;sup>10</sup> See footnote 2.

<sup>&</sup>lt;sup>11</sup> For a good illustration of a reading approach to *The Catcher in the Rye* as a preventative to censorship see W. C. Booth, "Censorship and the Values of Fiction," *English Journal*, LIII (March 1964), p. 155-64.

ine it. It is simply excluded.<sup>12</sup> But as Northrop Frye points out, "The belief that good and bad can be determined as inherent qualities is the belief that inspires censorship, and the attempt to establish grades and hierarchies in literature itself, to distinguish what is canonical from what is apocryphal, is really an 'aesthetic' form of censorship."<sup>13</sup>

#### Not a new idea

This is not a new idea. As Frye emphasizes, Milton in the Areopagitica insisted that the value of a work depended on the way it was used, not the work itself. "Milton remarked in Areopagitica that a wise man would make a better use of an idle pamphlet than a fool would of Holy Scripture, and this, I take it, is an application of the gospel principle that man is defiled not by what goes into him but by what comes out of him. The question of censorship is apparently based on an analogy between mental and physical nourishment, what is censorable being inherently poisonous." 14

The notion that the censorable is poisonous is deeply imbedded in our society. While collecting Wisconsin proverbs, I found this saying, given to me by an elderly woman who said she had got it from a book more than sixty years ago. The proverb is this: "A poor book had best be burned to give place to a better or even to an empty shelf, for the fire destroys the poison and puts it out of the way of doing harm."

Many teachers and librarians accept this proverb as their working basis and attempt to teach or shelve only "good" books. Much question-begging goes on in this regard. Good books are those listed in the canon. The end of literary criticism is to determine whether a book is good or bad. After the critics have determined what classification to give a book, it may then be safely forgotten; whether it's

on or off the shelf doesn't really matter, since it has been permanently labelled.

If we are to break into this unexamined circle of assumptions, a radically different approach to the teaching of English is necessary. The outline of such an approach is beginning to be visible in contemporary literary criticism, although I know as yet of no systematic or complete description. Some of the basic elements were described some years ago in Albert Guerard's Preface to World Literature. While the new curriculum in literature will certainly transcend the so-called "new critics," their contributions are an important source of the new curriculum. The fullest effort to describe the curricular implications of the new approaches is currently being made by Northrop Frye.<sup>15</sup> A conference recently held at Trinity College produced some of the most forward-looking thinking on the English curriculum now available. Several of the addresses may be read in College English, October 1964.

Though it is dangerous to attempt to summarize too precisely the outlines of a new curriculum, the principles of organization probably will not be historic or geographic, as is frequently true in literature study today, but will be based on the structures of literature itself, so that to teach the curriculum will be to teach the essential elements of literature and not of literary history, or a given culture, or history of ideas, or other important, but peripheral, subjects—peripheral, that is, to the central elements of literature, those structures by which the reader enters the imaginative world of the work of art.

An effort to embody the new approaches was made in the literature syllabus of the twenty institutes in English held at various American universities in the summer of 1962 under sponsorship of the College Entrance Examination Board. That syllabus, drawn up by a representative group of English teachers from across the country, was prefaced by this statement of purpose, written by Professor Helen White of the University of Wisconsin:

The purpose of teaching literature in schools and colleges is to make the student aware of the power

<sup>12</sup> The Wizard of Oz is not indexed in the following standard works of children's literature:

May Hill Arbuthnot, Children and Books (Chicago: Scott, Foresman and Co., 1957).

Charlotte S. Huck and Doris A. Young, Children's Literature in the Elementary School (New York: Holt, Rinehart & Winston, 1961).

Cornelia Meigs, Anne Eaton, Elizabeth Nesbitt, and Ruth Hill Viguers, A Critical History of Children's Literature (New York: Macmillan, 1953).

<sup>&</sup>lt;sup>13</sup> Northrop Frye, "Criticism, Visible and Invisible," College English, XXVI (October 1964), p. 3-12.

<sup>14</sup> Ibid.

<sup>&</sup>lt;sup>15</sup> In such articles as "Elementary Teaching and Elemental Scholarship," *PMLA*, LXXIX (May 1964), p. 11–18, and in his previously cited article on criticism, as well as generally in his works of literary criticism.

of great literature to illuminate human experience, and to give inexhaustible pleasure.

The literary work is an ordered world, organized out of experience by the vision and discipline of the writer. To enter that world the student must be trained in thoughtful and sensitive reading, supported by essential knowledge of the cultural context and guided by each teacher's understanding of his class. The student must be put in possession of such indispensable tools of literary study as analysis of image, metaphor, and symbol, awareness of point of view, analysis of structure, and semantic examination of meaning and tone.16

That description makes clear that the purpose of literary study ought to be not knowledge about literature, but the possession of literature as a power to be used.

If the student is put in possession of the "indispensable tools of literary study," then he is able to discover for himself what he seeks in literature and is freed from the tyranny of the classroom, the lecture, the guides, and the established explications.

Such a program would minimize common reading assignments and would call for much more freedom of choice for the student. It would need much wider ranges of material, so that every student could find for himself the books suitable to his needs and tastes. Moreover, there is considerable evidence, as Professor G. Robert Carlsen, Lou LaBrant, 17 and others have pointed out, that such a program would come closer to making lifetime readers of our students than is presently the case.

#### Faith in freedom and literature

I hope I have not seemed to digress too far from our subject. If methods of teaching literature are related to the frequency with which educated people wish to censor literature, then the method of teaching may be worthy of notice in a discussion of censorship. But beyond this there is another issue, and that is the question of faith in freedom and in literature. If we could successfully

16 Reprinted by permission of Modern Language Association from The Commission on English 1962 Summer Institutes for English Teachers (New York: Modern Language Association, 4 Washington Place, 1964), p. 40.

17 Lou LaBrant, "The Use of Communication Media," Chapter VIII in Margaret Willis, The Guinea Pigs After Twenty Years (Columbus: Ohio State

University Press, 1961).

make reasonably competent readers of most of our students, should we risk turning them loose to discover for themselves what the literary world has for them?

Many voices say no. There is a prosecuting attorney in Milwaukee who has made a political career by using legal means to attack what he regards as obscene literature. Examples might be multiplied; they include state supreme court justices running for office in Wisconsin and elsewhere, policemen in Detroit, clergymen everywhere, large numbers of ordinary citizens, and many teachers and librarians. As did Plato, these people believe in varying degrees that the artist may disturb and upset society and should be controlled.

Other voices say yes, in freedom is our greatest safety. This was Milton's meaning in the Areopagitica when he said, "I care not for a cloistered virtue." Time shows us regularly that Milton was right.

A Wisconsin father wrote me that he objected to the bad books being read in the high schools. There are enough taverns around, he said; my children don't have to learn about evil from books. But a Wisconsin mother was far wiser, I think, when she thanked a Wisconsin teacher for recommending Nelson Algren's books to her son, for they caused him to lose his interest in taverns and striptease joints by revealing the tawdriness and life-destroying traps behind the sleazy, neon-lighted

That such an effect would always occur, we cannot know; but if Milton is right, it is better for young people to have the veil stripped off evil by such books than to meet evil, as most inevitably do, in its four-dimensional realities without the preparation that books can give them.

Mark Twain makes exactly the same point in his great short story, "The Man That Corrupted Hadleyburg." Twain tells us of a community that prided itself on its honesty and so removed all temptations to dishonesty from its children. As Twain tells the story, inevitably temptation occurred, and, never having met it, most of the leading citizens fell in a humiliating way. The same theme appears in a short story by Graham Greene, "The Hint of an Explanation," in which a Roman Catholic priest explains that he found his vocation because, as a child, he had been tempted to disloyalty toward his faith. Both of these stories agree with Milton that freedom is necessary for meaningfully virtuous life.

Moreover, we must not forget that faith in literature contradicts faith in censorship. Literary art contains its own energies for elevating the taste of the reader. If the imaginative power of literature does not compel the attention of the reader, nothing from outside will cause this compulsion. If the compulsion occurs, the energies resulting will lead the reader on from work to work, dissatisfied with anything less than the excitement that engagement with the literary work brings him.

A student writing of his first acquaintance with Mark Twain tells of his discovery of Tom Sawyer and Huckleberry Finn. He stood at the librarian's desk reading Tom Sawyer, read it walking up the street to take the bus, read, completely ignoring his mother's protests, all through the evening meal, and finished the book at last under the bedcovers with a flashlight. The energies released by the imaginative work created by Mark Twain took that student through every work of Twain's he could find in his local library and, we may guess, will take that student through many other books in the course of his life.

The story could be repeated again and again. Whittaker Chambers in Witness tells of the effect upon him of Victor Hugo's Les Misérables.

How can anyone take seriously a man who says flatly that his life has been influenced by Victor Hugo's Les Misérables? I understand. I can only answer that, behind its colossal failings, its melodrama, its windy philosophizing, its clots of useless knowledge, its overblown rhetoric and repellent posturings, which offend me, like everybody else, on almost every page, Les Misérables is a great act of the human spirit. And it is a fact that books which fall short of greatness sometimes have a power to move us greatly, especially in childhood when we are least critical and most forgiving, for their very failures confess their humanity.<sup>18</sup>

Whittaker Chambers is not the only witness to the ultimately elevating effect of even poor literature on the human spirit. Guerard illustrates the principle by referring to the young person who has access only to the cheap romantic novels of Ouida and Corelli.

<sup>18</sup> Whittaker Chambers, *Witness* (New York: Random House, 1952), p. 134. Reprinted by permissior of the copyright holder, Random House, Inc.

He will take delight in them; to him, they will be "art" and "literature"—an escape from the humdrum, a widening of experience, a field for imagination. Even in their second-rate technique, he will find a fairly successful attempt to tell a connected, exciting story, to create characters, to use language with some effectiveness. These books, which we affect to despise, will come to him as a revelation of the magic land, with a force that even Shakespeare has lost for most of us. His misplaced enthusiasm would be proof of his taste for literature, since he could extract delight even out of such tawdry stuff. It would not be evidence of poor taste in literature, since, in our hypothesis, he had no access to anything better. In the same way, the first automobile brought into a backward country will be hailed as a wonder, however antiquated it may be. Be sure the purchaser will not cherish it because it is rattling and wheezy; he will overlook these blemishes, in the exhilaration of the added power and freedom that the new invention is bringing to him. In these cases, it is not taste that is deficient, but experience.19

Many a teacher has seen this process at work, slowly in some students, who may be detained by prolonged interest in one corridor of literature, more rapidly in others, who are driven on to find again the excitement they discovered earlier in works of literature that now seem immature. If the student has learned the most important fact of all, the exciting power that books contain, he will be driven by desire to find that excitement in books appropriate to his continuing years of growth and change. Emerson, in fact, true to his Augustinian heritage, saw it as a permanent principle of life that men are driven by a restless search for nothing less than the best and wrote in his poem "The Sphinx":

### The fiend that man harries Is love of the Best.<sup>20</sup>

The nature of imagination and of literature is such that we need not fear the results of free access to books. Let us teach our students to read, in the largest sense of the word, and let us fill our libraries with all the books we can, and let us then absent ourselves, tiptoeing as it were discreetly away.

20 Ralph Waldo Emerson, Poems (Boston: Hough-

ton, Mifflin and Co., 1884), p. 11.

<sup>&</sup>lt;sup>19</sup> Albert Guerard, *Preface to World Literature* (New York: Henry Holt and Co., 1940), p. 92. Reprinted by permission of the copyright holder, Holt, Rinehart & Winston, Inc.

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# The Freedom to Read and Racial Problems

by Charles Morgan, Jr.

A finely honed racism cuts across the South, separating its people from themselves and the South from the nation and the world. But the racism of the South did not take root in the nation's only fertile soil. Instead, it grew wild like weeds, spreading in national complacency and an affirmatively discriminatory national policy. The United States, its Supreme Court, Congress, and Executive nurtured it while professing equal protection of the law.

In the South, racism was, and is, used as a scalpel, deftly and quickly cutting the dissenter apart from the society, and, more often, as a bludgeon, crushing him. Systematized racism has been the structure of southern life. To rationalize this harsh fact, to create and re-create the southern mystique, is a self-deception this nation can no longer afford. Caught in a web of lies woven for centuries, Americans now strive to free themselves from their past. Their only guide is truth.

Negroes have not merely been excluded from many aspects of the American present but also from accounts of the American past. History, school texts, and American literature have ignored the Negro's presence or locked him to the meaningless roles that are the vestiges of slavery. Writers and publishers, with few exceptions, made "common-sense decisions," if not about book burning, about truth and their society. And when truth is ignored there is little need to burn a book.

The mass of Negro Americans has not long been readers or writers. Their education has come late and hard. Their spokesmen were unheard or ignored or otherwise defeated by insurmountable obstacles deliberately imposed and bolstered by their inaction and society's.

But there is no way to draw a Mason-Dixon line to contain bigotry and prejudice. Neither

barbed-wire fences at Auschwitz nor city limits at Philadelphia, Mississippi, contain the guilt of societies which tolerate the enslavement of a people because of their race or their religion.

Who knows how many Negroes preceded Emmett Till or Charles Mack Parker or Medgar Evers or Lemuel Penn or James Chaney or those four little girls from Birmingham whose names nobody knows? Who knows how many souls are awash in the creeks and bayous and swamps of the Deep South, a land of lynching and old lace? Until this generation of Americans, who really cared? After slavery Negroes in America retained their utility value. They were cooks and maids and personal servants, performers of the menial, dirty tasks. For years their safety as a people lay in their places in the order of the South. They were oppressed but useful, segregated but alive.

But today, Negro Americans are waging a revolution protected by the Constitution of the United States. In 1954, the Supreme Court of the United States moved ahead of American society. The court was eagerly followed by Negro citizens and belatedly followed by the executive and legislative branches of our government. For ten years the Negro revolution has marched and sung and has been jailed, beaten, tortured, and killed, but it has come. And it keeps on coming. It has begun to reach "important" aspects of American life. For today's Negroes do not merely seek to exchange a new ghetto for an old ghetto or a school racially segregated by law for a school racially segregated by realtors. The leaders of the Negro movement seek integration, meaningful integration: contact in every economic, moral, political, and social sense. For without meaningful integration Negroes may always stand apart, an identifiable caste wearing facial armbands, ghettoed in body and mind, waiting for the next attack by the white majority.

From the Negro revolution has come a new literature and new expressions of old sensitivity. Public school curricula come under attack; books are viewed for their racelessness or for their dedication to southern ways; and sex and race combine to arouse the ire of the censors.

Who are the book burners? They are not always the members of the DAR or John Birch Society; they do not always possess the power or the brilliance of a Dr. Goebbels. They may be rabbis offended by *The Merchant of Venice* or *The Thunderbolt* or other literature viewed as anti-Semitic. Often the book burner is simply an offended human being. Often he should be offended: He may remember loved ones and Auschwitz and Buchenwald.

Or the book burner may be a Negro father in the North, residing in a small town where neither he nor his child noticed that there was a difference, who worries over the tensions created by The Movement, the new difficulties and challenges he and his child must face and the now noticed dialect and references to Negroes in The Adventures of Huckleberry Finn. He may see white when he reads an echo of the word "Sambo" as it was used in Mississippi in the days of slavery. Indeed, the censor may simply be the "liberal-minded" person broadly disposed to tolerance who believes there are valid exceptions to the right of free expression.

There are other censors who are not searching for a new life but are grasping at remnants of a yesterday which never was. They may be madmen pure and simple, or they may be the white southerner frantically clinging to the last straws of his youth.

The South was long covered by a cotton netting. Through it the world was seen and heard, but the vision was blurred, the sound muted. The white, agrarian, Protestant, Democratic, Anglo-Saxon South existed in a local unanimity, not a national pluralism. And it had but one way to cling to its sick tradition. To guarantee its antiseptic racial mores the South shuttered itself against outside agitators and their propaganda, the ideas of freedom that create that greatest danger—the inside agitator. Even now it often futilely seeks to stamp out dissent effectively as does any total-

itarian society. But while the South consumed its bright young minds, viewing the world beyond the curtain with suspicion and fear and hatred and the certain knowledge that change would never come, the cotton curtain became a shroud.

Many of the countless reports which made others aware of the nation's central problem (NBC's White Paper on the sit-ins, CBS's Who Speaks for the South, ABC's Walk in My Shoes) were not seen in much of the South. Harry Ashmore's articles on the Negro in the North might be serialized, but not his articles on the Negro in the South. The spokesmen of the South became newspapers in Richmond, Charleston, Birmingham, and Jackson; the oracles became David Lawrence and Henry J. Taylor as the Walter Lippmanns dropped from view. Political campaigns degenerated in diatribe, "not now" merely became "never." Faubus and Wallace, Barnett and Connor joined the lexicon of household language and were indelibly footnoted in American history. Congressmen and senators and governors announced their opposition to law, their defense of the order.

The dark sides of men are released by the one-way society, the social order that tolerates no opposing point of view. The ultimate spokesmen of the one-way society are its killers, the hooded men in the night, the bombers of homes and churches, the assassins. They are its men of action, the enforcers, whose staccato has often broken the stillness since Appointox. They have operated with impunity and have seen themselves as the Patrick Henrys of the South. And they know that only like-minded and like-skinned men vote, serve on juries, make arrests, and write and rationalize their deeds. Today the killers of the night hear voices from another century. They echo in a new America but the subject remains the same—the Negro and his place in the American dream. But, perhaps fortunately, today's spokesmen seem mere caricatures of their ideological ancestors when the subject involves race and the very right of dissent—the right to speak, to assemble, to petition, to write and publish, and the right to read.

Yesterday, John C. Calhoun demanded that the North stop its agitation. The slave states banned books, magazines, and newspapers which argued for emancipation. Mere possession of Mrs. Stowe's Uncle Tom's Cabin was unthinkable.

One hundred years later The Rabbits' Wedding, by Garth Williams, was attacked by hopping mad Alabama politicians and divorced from general state circulation. But the miscegenated rabbits did survive an Orlando, Florida, assault where the story was termed "an amazing example of brain washing." Although "an amazing example" in Orlando, it was merely a mediocre effort to the literary critic of the Alabama Klan, its Grand Dragon, who termed Two Is a Team by Lorraine and Jerrold Beim "a lot worse than The Rabbits' Wedding."

Even the *Three Little Pigs*, one black, one white, one some of both, ran into a huffing, puffing segregationist in Miami, who attempted but failed to roast the book.

In Baton Rouge, Louisiana, the Scottsboro Boy, The Ugly American, and Eight Men were attacked by police as "contrary to Louisiana's policy of segregation."

Life, Time, and Look were ordered off the library shelves of two parish school systems in Louisiana and school systems in Mississippi. In Tennessee, a school librarian sensibly retained those left-wing anti-South publications. Refusing to remove them, she merely took the censor's weapon, a pair of scissors, and denuded them of "pro-integration" and "anti-South" articles.

But book burning is not new in the twentieth-century South. In 1941, when young Americans were marching to defend the world against Hitler's Aryanism, they trained in Georgia. That same year, Governor Eugene Talmadge forced two leading educators to leave the state because of library retention of books and pamphlets favoring racial cooperation. "Burn the books!" was the cry. Indeed, the rewriter of a songbook deleted the word "darkies" from "Swanee River" and said instead "Oh, 'Brother,' how my heart grows weary. . . ." Governor Talmadge compounded the felony by banning the book.

In Savannah, more than fifteen years later, Laughing Boy by Oliver LaFarge (Pulitzer Prize-winner in 1930), The Walls Came Tumbling Down by Henrietta Rosenburg, and Color Blind by Margaret Halsey were removed from school libraries by the superintendent. He had not read them. His pithy comment, "It's unfortunate that all this fuss had to be raised," indicated, at least, a certain modesty

as to the nature of the act.

In New Orleans, sales of Another Country by James Baldwin resulted in the arrest of Doubleday and Company employees. This action followed pressure on local bookstores and public libraries by White Citizens Council literary critics.

Censorship of books in the racial fields was not confined to the South a century ago, nor is it now. Then perhaps the most dramatic disagreement with the written word was that of Massachusetts' William Lloyd Garrison who branded the Constitution itself "a covenant with death and an agreement with Hell." Since the Constitution recognized slavery, Mr. Garrison burned it.

Today's Negroes have not delegated their fight for liberty to white abolitionists. They are winning their own freedom with, in some places and at some times, white help. Many mentally emancipated Negro citizens have no desire to expose their children to the reminders of slavery, The Adventures of Huckleberry Finn and Little Black Sambo. Replaced by an "adapted version" in Philadelphia's school curriculum (the violence, dialect, and derogatory references to Negroes have been toned down), Mark Twain's book is under attack from New York to California. Little Black Sambo has churned controversy from East Greenbush, New York, to Lincoln, Nebraska. It is excoriated as far south as Winston-Salem, North Carolina.

In New York the list of books under attack grows. Jeremiah's Black Lamb, America's Own Story, Working Together, Climbing Higher, Big City Series, and Here Is New York City are currently being attacked.

In the North, The Movement attempts to wipe clean the slate of literature. In the South an old order attempts to cling to the worst of its past. That books in the racial field are under attack should come to us as no surprise. Books are more than words and pages and royalties and profits. They are companions and old loves, dreams or harsh reality. They record knowledge, ignorance, and the past. They move men to action and they are symbols. They have led to wars and death and. hopefully, to new understandings and peace. Men have killed for their ideals. Can it be doubted they will do so again? The librarian is the keeper of man's storehouse of ideas. He is not an innocent bystander aloof from warring men. He should not expect to be. For the

library is a major battlefield, its books most

important weapons.

The First Amendment of the Constitution of the United States forbids governmental censorship. But the road from the Supreme Court of the United States to the public library in a small town in south Alabama is long and tortuous and rarely traveled. The freedom to read is not automatically ours because our libertarian fathers won it for us. Compliance with the Constitution is not automatic. Men delay, disobey, defy, and rationalize. They pray in schools and bomb churches and do both to defy the law of the land. And the Supreme Court of the United States has been under constant attack. For it is the effective instrumentality of government in the struggle to preserve our civil liberties.

But as effective as the court may be there is a censorship problem which strikes at the heart of freedom and does so beyond the point of technical governmental action. Societies have traditionally struck out at those who attack their roots rather than their limbs. In the South the democratic society of white men and their government overwhelmingly agree. Not merely a minority of white citizens favors an Aryan racial policy. The majority does and contrary positions are taboo.

Trotskyites in China and Russia, Nazis in the "new" and democrats in the "old" Germany, Communists in the United States, and integrationists in the South are effectively silenced. When the government under the strictures of the Constitution cannot silence the dissenter, other social forces come into play. The government sits by in silence and acquiescence while social ostracism, economic pressure, and threats in the night still the dissenter. Organized society demands conformity on the basics of its existence. In this demand southern censorship finds root soil.

But the ordinary, everyday weapon of the censor is not the booted tyranny of troopers, storm or state. There are no torchlight parades and bonfires. Books are burned each day in America but there are no flames or ashes, no telltale evidence remains. Freedom's problem is not alone the book burner. It may also be the book buyer.

Freedom to read may be lost in the mind of an editor in a publishing house in New York or a librarian's refusal to purchase in Amarillo, Texas. The First Amendment may die quietly in the mind of an author who knows "what gets textbooks in trouble." The little decisions rationalized by the editors of newspapers and magazines are as undramatic as a slow-moving freight train to Dachau or the word "Denied" stamped on the visa application of a girl from East Berlin.

Item: A Florida librarian vetoes a set of books because they are "untrue to life . . . consequently unwholesome for children."

Item: A Colorado librarian refuses to purchase controversial books. She does "not like to put on our shelves anything that may cause the unsuspecting to be shocked or made unhappy."

Item: A New York publishing company spokesman is "reluctant to rush into publishing pictures showing Negroes and whites mixing socially, because I know to begin with

they will not sell in southern states."

Item: In a survey of 90 libraries and 204 librarians in 26 California communities, two-thirds of the respondents reported refusals to purchase based on the controversial nature of a book or its author. One-third reported the permanent removal of some controversial materials from libraries. One-fifth reported an habitual avoidance of all controversial materials. Only eight examples of sustained and organized censorship drives were reported in the survey, but one of them occurring in the preceding four years.

A refusal to purchase, a premature retirement to the librarian's office or to a shelf under or behind the front desk or a locked room or closet, and limiting the number of copies purchased are the common techniques of

quiet censorship.

One librarian was unwilling to place her library in jeopardy for one book and subscribed to libertarian book selection principles. She is reported to have protected her library at the cost of 2000 locked-up volumes.

A recent study indicates that selection practices in the periodicals field are geared to demand and the availability of indexing. Thus the public library, like the suburban supermarket, seems to deal in turnover and brand

Supermarket librarianship is, no doubt, valid when library programs are geared to mainstream America. But the mainstream, like the main street, of American life offers too little in fields of intellectual challenge, too much in the field of simple traffic management. The risks of an America malnourished

by an intellectually bland diet are greater than the risks of an America in controversy. I am more fearful of an America geared to the supermarket than I am of the chances and dangers involved in an America accepting free debate.

There are differences of library purpose. Libraries do and should have personalities. Grammar school libraries should differ in content from those in high schools. And neither college and university nor public libraries should be substantially governed by the rules applicable to those of children. Even though children often do seem more rational than adults it may be that they are not capable of absorbing a radical literary content.

Perhaps Huck Finn should be a curriculum casualty of the twentieth century, a sort of literary high school drop-out. I question that, but school curricula are for local school system determination. If Huck continues to go to school. I doubt that the book should be rewritten nor should any other author be subjected to an Orwellian rewrite of history. I believe that our children are capable of grasping the meaning of life and are not subject to traumatic consequences when taught about America's past. But, regardless of school curricula, I am certain that to the exact degree that our public libraries and the libraries of our colleges and universities turn to supermarketism or surrender their freedom to the whims of the majority they fail in their most important mission. Government by community taste and sensibility is a tyranny too often allowed. A conformist society surrenders the market place of ideas for the monotony of social savings stamps. This is a nation which has grown in controversy and thrived in dissent.

If public libraries are to stand against community critics their book selection policies are all important. They should not only serve as guides for the librarian and as standards for public response but also as protectors for the more timid who desire protection from controversy. Unfortunately, some militate against the selection of the more controversial, often more important, works.

The selection policy of a very large public library in a very large southern city states, "In buying religious films, an attempt is made to avoid controversial issues, and to add only those films which are of interest to a broad group of viewers." This library purchases no religious books which "show partisanship or are destructively critical of another faith," and, "selection should be broadly tolerant. ..." Books selected "are affirmative in their approach," they are "inspirational books without a narrowly sectarian bias."

In one of America's outstanding public libraries, non-Deep South, the policy statement says:

An attempt is made to provide books that give evidence of a sincere desire to get at the facts. and seem to be written in a reasonable fashion, and as a result of careful study. The library may, on the other hand, decide to exclude sensational, violent, or inflammatory books, and those that contain demonstrably false statements and undocumented accusations. For exceptions see the paragraph below.

The library may exclude from its collection a majority of the books presenting views that are regarded by a consensus of responsible opinion civic, scientific, religious, and educational-as unsound, and have been so regarded over a period of years. For the use of students and scholars, however, the library collection may include a few representative and prominent books which, when published, favored practices which have since come to be regarded as either anti-social or positively illegal, e.g., it possesses a number of antebellum works in favor of slavery, which are of great value to students of the period. . . . The Library recognizes its obligation to future scholarship to include a very few prominent examples of current materials of an antisocial nature. These are usually kept for reference use only.

Under this standard it is doubtful that the library could have withstood the assault against Tom Paine's writing unless, of course, he had written in a more "reasonable fashion. and as a result of careful study" instead of in a "sensational, violent, or inflammatory" manner.

I can read it now:

Although these are the times that try the souls of a large number of men, a recent survey conducted by King's Research Associates demonstrates clearly that not more than 68.6 percent of men believe that they have souls. Of these men who believe they have souls, only 34.3 percent of them believe that their souls are being presently tried. Those who believe their souls are being presently tried fall into two distinct groups according to studies recently completed in upstate New York. King's Research Associates also indicates that Valley Forge is not in fact a place from which only summer soldiers and sunshine patriots flee. A number of others have left

perhaps because this has been, in fact, the coldest winter with the heaviest snowfall recorded in 34 years. Indeed, General Washington himself hoped for a little sunshine. The previous record low for Valley Forge was . . .

Tom Paine did not write that way. Neither did Thoreau nor Harriet Beecher Stowe nor James Baldwin nor Karl Marx nor Thomas Jefferson nor Barry Goldwater nor John Stormer nor St. Paul nor anyone who moved or sought to move men to action.

Censorship cloaks itself in many words. "Scholarship," "controversial," "tolerance," and "bigotry" are but a few of them. It is here that the attacks on Huckleberry Finn and Little Black Sambo center. And the books are rewritten much as the kind censors rewrote in the Middle Ages or in New York where a Port Authority spokesman struck from Emma Lazarus' poem (inscribed at the then Idlewild, now Kennedy, International Airport) "the wretched refuse of your teeming shore," because, as he put it, "[those words] might be offensive to the fine people of Europe" entering this nation.

We have relearned from the racial revolution in America that men move to make social change and to accommodate after change is forcefully demanded of them. The Bill of Rights protects America's free expression, its right to demonstrate, to speak and write, to petition and assemble, to think, and to do so in radically new and different ways. The racial struggle is not one for law and order. It is the contest of law, new law, against the order, an old order as harsh and cruel as man has known. A radically new and different kind of revolution is under way—a lawful one. We need not lose because of it the very freedom in which it has grown.

We have also learned that racism is a disease, easily contracted, not easily cured. It is neither quarantined in the South nor confined to the continental limits of the United States. It is not to be soon stamped out. Chinese attack Russians, Africans attack Americans, Englishmen attack Englishmen, and often race

is the bludgeon or the scalpel used.

Race is the simplest divider of men. Race is readily discernible. Neither the divisions of nationality nor those of religion are as visually apparent. We must conquer the disease here in America to lead a world away from it. This is one of the great tasks of the last half of our present century on earth. The rising peoples in their poverty grasp for new ways, reach out for meaningful life. And as the population of the world grows restive so grows the problem of race.

In Nazi Germany the answers were rather simple. Editors were politically and racially clean. All survivors were. At midnight in Berlin thousands of young people marched and sang; it was May 10, 1933. The forms of a nation's youth danced grotesquely on nearby walls in shadows cast by torchlight. They burned books there that night—thousands of them—in a public square. That night in firelight the Nazis broadcast to Germany the names of undesirable authors and books.

In America, I fear, there often need be no burning fires to broadcast the undesirable. Controversy does it for us. The defenders of liberty may then lower their torches and their convictions. When they do, another book is burned. When they do not, the spirit of freedom is reborn.

You are the guardians of a battlefield of mankind, the library. No written policy of book selection, no lawyer and no law, no constitution can protect the freedom to read. For none of these are of value without you. As Mr. Justice Black has said: "This country was not built by men who were afraid and it cannot be preserved by such men."

You don't make "common-sense" decisions about book burning. The decisions to risk a job, to live a little dangerously, to risk movement into a field of controversy—these are yours alone. Without these risks we would not dream of freedom as we know it. With men who take these risks we need not fear the book burners, the censors, the spiked boots of totalitarian thought.

# The Freedom to Read and Religious Problems

by Theodore Gill

Alas, the topic assigned, taken in the context of this whole conference, asks us to consider the problems religion puts in the way of freedom to read. The little literary sob at the start is not just one religionist's rueful admission that religion has indeed sometimes made itself a foe of that freedom. Nor is the "alas" a kind of half-swallowed confession that the topic so construed does not land spang in the center of my own competence (on so small a field, few do).

Instead, the stylized grief bespeaks regret that, interpreting the assignment so, quite another interpretation of the topic must be eschewed. For the "freedom to read and religious problems" could also mean, you see, a study of the ways in which freedom to read might resolve some of religion's own problems. That sounds like something more worth our time—a good deal less dog-eared, fly-specked, and jelly-stuck a subject than the old religion—censorship business. Not that this alternative reading of the topic comes anywhere nearer my field than the other does; the alternative is simply itself a field I'd rather run around in.

In this case, though, we must begin, at least, with the problems raised by religion for the freedom to read. Fortunately, we need not ransack history to prove that we are talking now about something real. That there is a religion-censorship problem is known in the flesh by every local librarian. He has met this issue face-to-face, on the hoof, or, more usually, on her broom. In hot letter or tense interview, someone in the community demands that some reading list be revised or some new book be locked up. More often than not, religious motivations are claimed for this cry for repression, theological sanctions are invoked for the desired coercion. And, of

course, there is a sense in which every concern for what is right and what is good is ultimately religious. But so is every concern for what is true. So I ask you religiously to be fair, to be honest about many if not most of the free-hand censors who advance on your stacks ready to seal them with godly planks pounded with Christian nails.

They may be religionists, their labels may be churchly, but the real source of their protest is neither theological nor ecclesiastical. Sometimes it is medical. Many of them are just not very well—not just in their heads, not just in their bodies, in their lives. Sickness is always wrapping itself in religion. Hysteria was long mistaken for sanctity.

Political zealots who would decide themselves what it is safe for anyone to read claim to be acting religiously, and indeed they are. Insofar as absolute dedication to a party or to a system is involved, that is their religion, in obedience to which not just publishers and librarians but God Almighty himself must march. These religionists do not just visit your offices with demands; they are all through the churches today too, insisting that the scripture be made to say what confirms their particular politics, demanding that preaching come out in political agreement with them, requiring that church policy track with party policy-or they quit. Such stalwarts are indeed religious, but it is transparently clear that their religion is politics, that their ulimate allegiance is to a party, and that their basic loyalty is to a system. What else can this be but such a man's real religion, when everything else including his professed religion must be wrenched and remolded to conformity with his political identification?

So such will continue to vex you in the name of religion. But that religion is not the religion of church and synagogue, the religion of responsible reflection within ancient tradition, which we usually mean by religion in such discussions as this one. Not just school and library, but church and synagogue, too, are vexed by this bastard Shinto. It is part of a problem American religion shares with you, not the problem traditional American religion makes for you.

That is how it is with the sex-obsessed, too. Seeing the world with sick eyes, they see a sick world. Unhealed physicians, they write their bitter, dangerous prescriptions for us all. You get the bad word in the libraries, and we get it in the churches. These are not our emissaries to you; they are part of a problem we share with you. Bad religion probably had a good deal to do with the form this particular sickness took, but so too may some unfortunate reading, and the resultant affliction is gnawing in both our guts. Those who would purge it by limiting reading must, if consistent, close churches too.

Church, synagogue, school, and library are common targets for the nostalgic as well. These are those who yearn for the supposed simplicities of once-upon-a-time, who have an aching yen for the seeming stabilities of wayback-when. They are not always lavender-andold-lace types. Sometimes they are fierce, scrabbling frantically at the historical blasts that sweep us into novelty, screaming into the winds of modernity. But their motivation is nostalgia. Not just in the writing and reading of your books, but in the thinking and preaching and teaching of our churches. Turn off, tighten up, batten down, rope in is the counsel. Don't let what was so good get away. Grab the past, arrest history, hold everything!

Now because religion has to do with revelations running back into unbelievable antiquities and millenniums-long traditions and awesomely old institutions, it takes no great stretch to associate this retrogressive anxiety with religion. Even so, that little stretch must not be taken. The kind of religion with which bookmen should be discussing their problems and to whom they should be looking for common cause are precisely the churchmen who are trying hardest to disassociate religion from such clinging, cloying misidentification with nostalgia. Revelations, traditions, institutions we do have, and they admittedly come up from the past. But they are about now, and

they are for the future. Anyone who in the name of religion seeks to return a library or a school or a society to an earlier taste or standard simply because it is earlier is undoubtedly doing the same thing in the church. He is as much a foe of true religion as he is of true culture. He is not just a religious problem for proponents of the freedom to read. He is a problem to religion which is, if anything, more threatened by him than you are.

It is a single point which I have been making variously. Much of what strikes you as "religious problem" in your day-by-day effort to safeguard the freedom to read is a problem to religion just as much as it is religion making itself problematic to you. The demagogue, the self-server, the sex-sick, the super patriot, the crinoline crusader, all these are tangents to the mainline of religious development in our day. Please don't dignify their motivations of pride, ambition, and terror as religious. Your busybodies are our busybodies too.

Meanwhile, the centers of religious reflection, the responsible spokesmen for religion relate themselves quite differently to our subject. Their address to the issue of freedom to read will be grave, reticent, careful. And this, not just because they are aware of the sensitivities and difficulties in the issue, but because they are aware of the uncertainties and irresolutions in themselves. For an enormous reworking is going on in the teaching centers of America's majority religions, a reconceptualizing that will have everything to do with how the churches confront all public issues.

I am not a Roman Catholic so I cannot tell you all that is up in that grand and fascinating institution. But I can read and so I cannot help knowing that a lot is going on in there. It doesn't even take heavy reading to clue you in on that; newspapers over the last two or three years will do. Unfortunately, the work of the Second Vatican Council on press, studio, and station was traditional and more simply repetitious of the past than most of the schemes considered. And so far we do not have a final and accepted scheme on other freedoms. Even so, three years of very public debate and highly publicized agonizing tells us what we could not be so sure of before: that this great church, however firmly it will finally speak with single voice, is full of voices. Even if an Index should remain, draw-

ing its sharp, helpless line around the freedom to read, the whole civic community now knows that all through that church are distinguished scholars and powerful prelates who not only challenge the Index but abhor the version of doctrine that even suggests such strategy. The knowledge of that debate within Catholicism inevitably alters the weight of that church's witness in any public debate on the freedom to read. Where this comes to issue in our towns from now on, Catholic opinion can less than ever be thrown as one massive lump onto one side of the scale. Catholic opinion is suddenly a clamor. Plenty of heavyweight comment in the direction of widest freedom to read is now on record inside the Roman Catholic church, and though that attitude might not finally prevail there, it cannot but complicate any simple negativities should they ever again be forthcoming as the official view. One great fact is irreversibly accomplished. The civil community now knows enough about the varieties of counsel in the Roman council so all conclusions will be interpreted, weighted, penetrated by those outside. This cannot but make a difference in the development of censorship issues in American communities. In the debate, one great religious unit will be taken as seriously as ever, but its role and its word will have to be analyzed more subtly than ever.

About Protestantism there is more to say, partly because I suspect more challenges to the freedom to read come from Protestantoriented areas, and partly because I know it. better. Since Protestants have featured their clamor for centuries now, it is harder to generalize about them. Even so, among those to whom public agencies might look for reflected contribution to community issues, certain directions (if not consensus) begin to come clear. There are massive developments in process right now in theology and ethics and in the whole attitude toward the world and its culture which cannot but have early effect on church participation in community debate.

#### Changing theology

In theology, for instance, Protestant thought is shifting from what I would call a content Christianity to a context Christianity. That is, we are swinging from a conception of Christian teaching which is packed full of authoritative, necessary, and definitive an-

swers to all possible questions (content theology) to a conception of Christian teaching which speaks absolutely only about that enveloping reality within which we work out our provisional answers to such questions as are affected by the existence of God (context theology).

You know what content Christianity is. Most of us grew up in it. It was a religion which trafficked in details, in specifics. Ordinarily it was built upon an idea of revelation which had a very verbal God addressing himself directly to every conceivable human issue. whose flat and inescapable answers were made scripturally indelible so that from them could be teased or tortured equally absolute answers to any questions not covered in the Bible itself. Content Christianity is a religion concerned to cover everything with the incontrovertible, ineluctable, once-and-for-all Christian answer. From the farthest-out questions about the structures of divinity to the closestin questions about earth science, from the questions of broadest ethical principle to the most picayune moral query, content Christianity had the baptized bidding, and it was for everybody, and it was for always.

Context Christianity, on the other hand, understands God's revelation as being God's disclosing himself, delivering himself, getting himself across. He is not a self-flipping encyclopedia. He is God-the realest real, the ground of being, the outermost context of existence-He is God. In this reading God discloses himself and nothing else. What more could there be? He leaves it to us to work out a knowledge and a behavior for immediate history appropriate to and consonant with what God has shown us is the character of ultimate reality. God is the answer. He is not the answer-man. That is, God is the answer to any question for which the existence of an affirming, sustaining (i.e., loving) God has significance. He is not a handy answering service.

Context theology says God is the only absolute and is very reticent about psychoanalyzing Him. Context Christianity says it is up to us in every new situation, in every new day, to work out a Christian attitude on the question before us which will represent the wisest, fairest dealing with the public facts possible within our particular religious context. The answer, so arrived at, will be provisional, however. It will stand while the

prompting facts stand, while the precipitating situation holds, and no longer. And the answers of one generation will never excuse another generation from casting up the facts and seeing where faithful reflection (in the same ultimate context, but with a different present, perhaps) comes out in its new day.

It must be clear how a wide acceptance of such teaching in Protestant circles would affect their participation in community debate on public issues. In the old content theology, the whole body of a Christian's knowledge was fixed, static. Not just theological and ethical, but sociological, political, economic, aesthetic questions, too, had their single, simple, inescapable, unassailable Christian answers. Protestants advanced to public discussion with this whole clanking, metallic armor hinged on them, making their approach stiff, jerky, and very, very noisy. Whatever opinion or attitude or suggestion or program collided with one of these brazen specifics was deflected. Principles were not even to be dented, for after all, in this way of looking at things, all traditional, familiar, churchly opinions were revealed, carried God's own authority. To challenge them was to challenge God, and Christians are not in that business.

Thus, to be specific, when the question of obscenity in literature came up, content Christians clanked to the rumble. They knew what had been, was, and always would be obscene. First, since Christians seemingly had always been suspicious of "the world" and nervous about sex, obscenity generally would be in the sexual area and Christians would be against it. Second, because of the wordy fixation of Protestants, obscenity would have to do more with uttered words than with contextual attitudes. And third, since long usage is always confused with necessity by traditionalists and etiquette is always mistaken for ethics by them, certain words will always spell obscenity. So the issue was open and shut. Spot the words, assess the sexual temperature, and ban the book. Get a law written with pejorative reference to prurience and perversion, and that is that. And if, indeed, obscenity is just a matter of words, that is

Context Christians, on the other hand, come to the discussion only with a conviction of the love of God, not just for themselves, but for his whole creation and all who are in it; a determination to do what can be done to

life in this situation: and a galloping curiosity about the facts and possibilities in the issue. They have no special brief for vulgarity, but they are not panicked by a vulgarism, and they are interested in its reason for being where it is. If, for instance, the tough word stands where it does because it is true to the incident, then of course we are impressed. It will be a dangerous day when Christians think they can pick and choose which truth or what kind of truth to be impressed by. And if the rude word is meant to blast, then our attention will be more on what is being blasted and why than on the rough syllables or four letters themselves. In this way of looking at things, good manners are not necessarily good morals. In literature as in life, being nice and being unexceptionable is not necessarily being holy or being Christion. In the civil rights agitation (which came along just in time to give the church a chance to redeem itself—to find its soul), it is clearly Christian not to be what large parts of the community would call nice; it is moral to be obnoxious. Context Christianity says that the meaning of any act or any word is determined not by traditions about their use but by the context in which they occur this time. So no word, no situation, no narrative plot, no action turns us off. All the more electric ones startle us, as they should, into attention to what is going on and why and to what end. Our judgment on that will then be made from our particular context, when we determine as best we can how that writing or teaching comports with what we understand to be God's re-creating will for the world. And then we shall push the book in question or argue with it, but we cannot for any verbal or political reason deny it the hearing we will claim for our utterance. That is not noble magnanimity either; we simply know that the abridgers of anyone's freedom could abridge ours. In our day of religious disestablishment and the flowering of American pluralism and uncertainty about who will be calling the shots next, extreme liberality on all the constitutional freedoms is very lightened self-interest for all religionists.

sustain men and enhance the world and affirm

#### The real obscenity

It is a hard thing to learn, but I think we are learning it. A few years ago, when a professional theater company settled down on

our seminary campus to produce full seasons of old and new plays, we in San Anselmo got into practice. When Edward Albee's The Zoo Story was played along with Samuel Beckett's Krapp's Last Tape, protests came about the language. In response we, of course, had to protest the prunes-and-prisms prissiness which had betrayed those observers, blinded the vocationally concerned (ours are ministerial students) to the gasping pathos in the plays, made their supposedly compassionate Christian ears deaf to the yearning tenderness in each. Just last year when our players did Lillian Hellman's Toys In the Attic, the by now predictable protests came again (but fewer and from off campus) against certain of the gamier lines. But by now the response was predictable too: If a character's colorful statement was obviously true, then while noting its literary deftness and its narrative devastation, we must also appreciate its precision, honor its truth however chromatic its verbalization. Christians worship the God of all truth; we do not pick and choose among truths the way we rummage through a store's lettuce bin, looking for a nice head even if we surreptitiously have to strip off the dirty leaves we don't want to pay for. But what bothered most was that the plaintiffs in this case had not even noticed the terrible, embarrassing obscenity there was in that play, that miserable moment when one character looks at the dignified Negro gentleman and spits "Nigger" at him.

Which brings me to a New York Times report from the January 17, 1965, issue:

A Baptist Defines "True Obscenity": New York—Vulgar speech and oft-spoken but seldom printed four-letter words are not blasphemous or immoral, according to a New York Baptist minister writing in the January 25 issue of Christianity and Crisis, Protestant bi-weekly.

The dirtiest word in the English language, writes the Rev. Howard Moody, is "Nigger," uttered from the "sneering lips of a Bull Connor."

Eugene T. (Bull) Connor is the former police commissioner of Birmingham, Ala.

Moody, minister since 1956 of the Judson Memorial Church, maintains that vulgar and bawdy language may well be objected to on the basis of esthetics and social manners, but "it is hardly justifiable to make a moral or theological case against raw language as the church has tended to do."

Editorial board chairmen of Christianity and Crisis are theologians Reinhold Niebuhr and John C. Bennett. Moody's article, entitled "Toward a New Definition of Obscenity," points out that from a theological or ethical perspective "dirty words" are a "terribly inadequate" base from which to write definition.

"For Christians," he observes, "the truly obscene ought not to be slick-paper nudity, nor the vulgarities of dirty old or young literati, nor even 'weirdo' films showing transvestite orgies or male genitalia. What is obscene is that material, whether sexual or not, that has as its basic motivation and purpose the degradation, debasement and dehumanizing of persons.

"Should we not as Christians raise a new standard of 'obscenity' not obsessed with sex and vulgar language, but defined rather as that material which has as its dominant theme and purpose the debasement and depreciation of human beings—their worth and their dignity?

"Such a definition might include material dealing with sex, but this would be a minor aspect of pornography. The 'words' that would offend us and from which we want our young protected would not be 'Anglo-Saxon' but English, French, German, which carried within their etymology and meanings outrages against human individuals and groups.

"The pornographic pictures would be those that showed humans being violated, destroyed, physically beaten. The prize obscene film might be a three-minute documentary of a fully clothed man twitching and writhing as the shock of electricity applied by our state prison officials burns through his body."

The development I have been describing is not local. It is coast to coast, and it is on the move. It will not go unresisted. As a matter of fact, there will probably be not too far ahead one last wild resistance to the development in question, one massive uprising by the "unco guid," led by those who know the reform described comes too late to reanimate their lost years and whose resentment would, therefore, deny such imaginative freedom to all to come. But such neo-Puritanism will be compounded of despair and deceit. Its phoniness will be its end. It cannot be long sustained when its leaders, whatever they will say, know better.

Meanwhile, and thereafter, I have hopes that churchmen may even get ahead of the crowd on some remnant issues in the field of legal freedoms. That is an old dream, that the church should somehow take the lead on something, be beforehand just once again as it was, we believe, in the long gone days when it made its first impression. We weren't ahead in civil rights, however hard we try to lead

now. The desegregated arts beat us to it, and athletics, and at the present rate even the drugstore counters will beat the pews some places. The United Presbyterians were ahead for awhile with their recent statement on church—state relations, but we couldn't quite take it the year it was offered. We asked another year to study it, during which the Supreme Court scooped us in its school prayer ruling, and by the time we acted we were confirming instead of initiating, as usual. Cow'stail Christianity again.

But what about sex ethics and attitudes, so wildly wide open at the moment and so much involved, too, in the determination of the freedom to read and the confusion around censorship. Court judgments continue to invoke "prurience" in their decisions. They are evidently still against it. But what is it? There vagueness sets in, and it may be partly because the good justices honor religious reticence at this point. If so, why not relieve them of that gentility and get on to a clarification that could be important to the freedom to read.

Prurience depends upon the context of sexual opinion within which it is defined, and sexual opinion obviously depends upon the sociological facts within which it is reached. Prurience meant one thing when sex itself was made heavy and dark under the triple threat which shadowed it always till nowthe fear of infection, conception, and/or detection. As technology progressively removes those threats (another instance where the church follows the drugstore), what of sex? Is it still so heavy and dark? Is it anxious or might it be antic in its essence? Is ponderous gravity the only responsible mood in which to approach it? Is it only matter for regret and terror that we may be coming to a day when sex will be valued above all as an ornament, an excitement, a decoration on life to which humor will be as appropriate as awe, and when laughter and frolic will be part of the reason for its high human and public valuation? If that should be upon us, what then of prurience?

And while scouting out forbidden areas, why shouldn't the church reconnoitre what we still call perversions and demand more careful definitive legal work there? The issue is involved in some censorship battles and seems lately to complicate most police charges of sexual criminality. But what is perverse?

Apparently on the police blotter everything is perversion except what amused South Sea island people used to call "the missionary position." But how quaint. Serious churchmen are way ahead of the law on this and maybe even outside the law. High time they took the lead in squaring the law with their own necessary action. Christian doctors, counselors, ministers regularly use marriage manuals and give premarital advice that encourages everything but the missionary position, insisting that the whole body is the sexual organ, exhorting imagination and innovation and acrobatic extemporization on all who would use to the fullest God's surprising, exhausting, inexhaustible gift of sex. If that be perversion, we are condemned. Once again, it is in the church's own interest to take the lead in a job that must soon be done for far more than the church.

#### Ethics to aesthetics

One more verse in a song which I am sure has more vocational interest to me than importance to you. And this a brief one, not just because my time and your patience are up, but because there is little yet to be said on the point. I, at least, do not know of anywhere to find a description of the development I would indicate. But concomitant with and growing right out of the development of contextual theology is a revision of ethics, too. Ethics is turning into aesthetics. That is, the Christian ethics appropriate to a content theology, a theology of revealed rules and regulations and codes and commandments, was inevitably a juridical ethics, a legalism. It made taut an order braced on the detailed, fixed ribwork of thousands of eternal laws. But an ethic appropriate to a context theology proceeds from only one absolute—to love—that being derived from what we know of God in his self-disclosure. Christian action is our appropriate reaction to God's action toward us-and He loves. So appropriateness becomes a key word in this ethic, and balance and order and proportion and taste and tone. And all of these are aesthetic categories. They turn ethics from a legalism or a science into an art.

It is a portentous change, full of suggestion for our present preoccupation. A juridical ethic limits action; an aesthetic ethic expands action. A juridical ethic rewards conformity; an aesthetic ethic consists in novelty. A juridical ethic is rigid; an aesthetic ethic is flexible, plastic. A juridical ethic thinks first of the steady standard; an aesthetic ethic thinks first of the fugitive particular.

How far this will all go cannot be foreseen, nor what it will mean in application to specifics. But I would say that the future is with it. I wonder whether it is involved in the difference between censorship in the home in which I was a happy, poor, privileged child and the home in which I am the loving, absent father. I remember having my Malinovsky Sex Life of Savages (pendulously illustrated) disappear along with Studs Lonigan and U.S.A. when I returned to Plover from my first year at the University of Wisconsin. I was fifteen and my mother (my very bright, breezy, contemporary mother) evidently thought there were words and pictures there that were clearly bad-not just bad for me then but bad in themselves, for the books were not later forthcoming. My younger sisters looked for them for years.

In our house in San Anselmo the closest thing we've had to a censorship crisis came when I asked my eleven-year-old Theodore not to read Catcher in the Rye just yet. But my reason had nothing to do with vocabulary or incident in the book. It had to do only with my enormous appreciation of the book

and my hope that Theodore could read it for the first time when he had the experience and the insight to get it, really get it, cry with it as well as giggle at it, love it not just like it. To read it too early, it seemed to me, was simply to forbid that later joy. My problem, I guess, had not so much to do with the freedom part of freedom to read (that is where juridical ethics would place it: freedom either is or isn't-vou can make a clear law about it) as it had to do with the reading part of freedom to read (and that is the sort of issue aesthetic ethics asks you to join: What is reading, really reading? Eyeing the words? Or getting them, gathering them in context. pulling them in with everything that clings to them, that has no spelling but makes all the difference, deep calling unto deep?).

Well, Theodore read the book when he turned twelve—he didn't ask that time—and loved it. Now I wonder what we'll do about Candy—if he hasn't already read it. It is certainly obvious enough on our shelves. Herb Caen says about Candy, "Anybody who thinks this is a sophisticated spoof doesn't know a really dirty book when he reads one." So we'll see.

My point, in sum, is simple. Don't blame religion for all the problems raised in its name. And don't give up on religion. It is not what it was, and more is yet to be.

## The Freedom to Read and the Political Problem

by Wesley McCune

The "political problem" in the subject assigned me is not one of Democratic or Republican these days so much as it is one of extremism versus moderation. To be more exact, much of the political debate of the past few months has involved the right wing or radical right in American politics, and I have been specializing the past three years on this aspect of public affairs.

I come before you librarians as a satisfied consumer of your services who also happens to have written several books for several publishers and who has worked as a Washington reporter of pressure groups and lobbies of various kinds. I am not going to tell you that librarians have problems, for you know those problems better than I ever will. I do feel, however, that the real damage from right-wing extremists is in local communities, from neighborhood divisiveness, threats. charges of disloyalty, and other harassment. My vantage point these days happens to be national, although I have been active locally in the past, and I must therefore generalize more than I like to. I am essentially a fact finder, but my dedication to intellectual freedom will generate a few opinions as we go along. I hope they will be constructive-and based on facts.

My studies of groups seeking to affect public issues have led to several conclusions, chiefly that the right wing of American politics and economics has grown stronger and/or more effective in every measurable way. I will mention briefly eight such measures, before discussing problems of more special interest to librarians.

Membership. This is probably the least reliable measure. I say least reliable because there are fewer facts available on this score and because, even if we had cold facts, one really good member of any group is more effective than many nominal members. The day of card-carrying members is apparently gone, although the John Birch Society maintains formal membership status (in secret), and it would be nice to know the memberships of all organizations, good and bad. The typical rightwing group merely asks for a few dollars by way of expressing sympathy and negotiable support, rather than a written pledge of undying loyalty. This makes it almost impossible to measure actual membership, but we do think that the right wing has gained in membership, and we know that the organizations involved have shown more affluence in recent years.

Geographical spread. We also know that the right wing has spread itself more evenly across the United States, although it naturally still varies from place to place in intensity. Don't be misled into thinking that all of the right wingers are out in Wyoming or some government reserve in the far west. It is not true. A map of the right wing, if it could be made, would look like measles on the face of the United States. If one were to put pins in the map for headquarters of right-wing groups, the nation's capital would lead all the rest and pins would be scattered from coast to coast.

Leadership. The right wing has succeeded in the past few years in obtaining much more "respectable" leadership. These are not all kooks or nuts by any means, and we have yet to find a right winger wearing tennis shoes. I am thinking of leaders acquired recently like Ezra Taft Benson, who was in President Eisenhower's cabinet for eight years, and his son Reed, who is now a fultime employee of the John Birch Society in Washington. There is former Congressman John Rousselot (R., Calif.), who is now di-

rector of public relations for the John Birch Society, or Joseph Mitchell, the former city manager of Newburgh, New York, who became famous for his harsh approach to welfare and is now in Washington organizing for the White Citizens Council. Then we might mention the former dean of the Notre Dame law school, Clarence Manion, or the former commissioner of internal revenue under Eisenhower, T. Coleman Andrews, or Senator George Murphy (R., Calif.), or actor Ronald Reagan. Captain Eddie Rickenbacker, hero of two world wars and retired chairman of the board of Eastern Airlines, is very big on the lecture circuit with a speech containing two basic points: Get out of the United Nations and abolish the income tax.

And primarily I am thinking of former Senator Barry Goldwater. It was probably more than the right wing could honestly have dreamed to have a highly respected, conservative, authentic leader in one of the political parties to be nominated for President of the United States. This may not happen again in a blue moon, but the merger of the right wingers who worship Goldwater as a hero and the politicians who wanted to put him in the White House was a glorious thing for the right wing. And even though Goldwater lost in the landslide, the fact that 26 or 27 million Americans voted for him represents a high-water mark for the right wing in American politics. Even though you may say it was not very high, it was the highest point yet.

Public relations. This is a general category into which I would put such things as the John Birch Society's coming out of its shell somewhat and inviting reporters and anyone else to come to its meetings in an effort to overcome its "secrecy" image. Robert Welch, its founder, will now grant occasional interviews to reporters instead of pushing them around. The John Birch Society last fall ran a most attractive sixteen-page tabloid in the form of Sunday supplements in newspapers having well over two million circulation. These were very professionally done. The general trend is not to be so strident but to run a full-page, public ad explaining a group's position with some fairly respected names attached. I believe that the radical right and the conservative right have become imageconscious and are doing a good job of changing.

Use of radio. This major technique has

really boomed in the past few years. The use of radio tapes by preachers and others of the right wing has made the U.S. mail and many radio stations of this country an effective network for right-wing propaganda. Seven of the right-wing organizations of national stature which have regular radio or television programs produce more than 7000 radio programs each week, averaging about fifteen minutes each. There are many others, but this illustrates the point conservatively.

Political activity. The right wing has begun to take a leaf from the liberals-or the left wing, if you please-after many years of political naïveté in the first place, it has actually become politically identified, getting into overt political work. For example, the Americans for Constitutional Action was organized in 1958 to rate congressmen by a conservative index, supporting those who got 100 per cent and trying to defeat those down the scale towards zero. This group, headed by retired Admiral Ben Moreell, has become quite effective in handing out awards to the most reactionary congressmen and making them appear to be the only ones interested in preserving the Constitution, home, and motherhood. Then there is the Young Americans for Freedom (YAF), organized in 1960 to put Barry Goldwater in the White House. YAF supplied the muscle, the noise, the picket signs, and some of the intellect in the drive which resulted in the GOP nomination of right-wing hero Barry Goldwater.

Second, the right wing creates a general climate for bending politics in its direction, the very conservative direction. It maintains a constant din against big government, against the welfare state, against Lyndon Johnson, against Hubert Humphrey, against the Supreme Court, against the "eastern liberal press," against liberal book reviewers, and against the United Nations. The impact is impossible to measure, but there is every reason to believe that the repetition of these things has been heard in the halls of Congress and in the state legislatures, at least to the point of blunting the cutting-edge of legislative progress.

Then there is that category of political activity which is the old-fashioned lobby. The best example of this was the formation last year of the Coordinating Committee for Fundamental American Freedoms, which set up headquarters across the street from the Senate

Office Building and became the spearhead against proposed civil rights legislation. It was staffed by a professional who is a veteran of right-wing operations. It had only three names on its letterhead, but it succeeded in spending a quarter of a million dollars in three months to smear the pending bill. Even though the bill passed, I think we will see more of this technique.

Financial support. Group Research, Inc., recently completed more than two years of intensive work on the financing of the right wing. This is a difficult study because the groups make it as hard as possible to find their basic sources, but most of them have to report something to an official agency. We found that thirty major groups in the rightwing complex spent a little over \$14 million in 1963, and we estimate very conservatively that other groups who should be in that list but don't have available figures account for about the same amount of money—making a total of about \$30 million a year spent by the right wing.

Publications. This category has deliberately been left for last because it probably affects librarians more closely than the others. I am sure you realize that the radical right and the conservative right no longer go in for smudged old mimeographed publications; they put out slick magazines and they put them out regularly. Their publications are professionally edited, for the most part: they are thick, they have content, and they are attractively presented. For example, The Cross and the Flag, published by Gerald L. K. Smith, a long-time hatemonger, comes out monthly in 32 pages, usually with a color. We know that Mr. Smith takes in about \$225,000 a year for this operation. Publications of the young conservatives like YAF and the Intercollegiate Society of Individualists are extremely well done, particularly those of the latter. A tabloid called Christian Economics is laid out in dignified format and sent to all Protestant clergymen, courtesy of J. Howard Pew and other right-wing contributors. The John Birch Society publication is very hard to match for format and presentability.

#### The portent for librarians

These major observations add up to a conclusion that librarians will be getting a flood of right-wing material, if it has not already been received. It may mean that the impact of

the right wing in your areas will not be so much incidents of harassment of librarians as an attempt to inundate you with what we will loosely call "literature." I am in favor of having right- and left-wing literature on library shelves, and I believe in presenting a balance, but the point is that a larger bill of fare is being offered by the right wing and it will be pressed upon you with more enthusiasm, if not with outright fanaticism, from time to time.

I am sure that this means that librarians will want to be able to identify and distinguish the right-wing material; this will not always be easy, because the material will not always be marked. It will become more and more important to know the organization putting out a pamphlet or a book. It will be much more important to know who the authors of books are and what cause they are selling. For example, I have already mentioned the Americans for Constitutional Action and the index they publish on conservative and liberal issues. This organization also collects and spends money in political campaigns, usually in the form of putting a man in the field to help write advertising copy, radio programs, or speech scripts.

What is not so well known about ACA is that it is interlocked substantially with the John Birch Society. Admiral Moreell is not a Bircher himself, but two of his top three other officers are identified as leaders of the John Birch Society and at least one trustee of ACA has been active in the John Birch Society. In addition, we have studied the financial support of both groups and find that at least one-fifth of the contributions to ACA come from easily recognized John Birch supporters. It is therefore important for a librarian to know, if he uses the ACA index, that this is not merely the operation of a retired admiral interested in the Constitution but is Birch-like in its nature and has connections of that kind.

Perhaps my most helpful contribution to this important meeting will be to lay out a few subpoints of this proposition that may help a librarian working his way through the right-wing material. My subpoints will deal particularly with the last three observations on right-wing activity that I have mentioned—political activity, financial support, and publications.

The first observation for librarians, in the

area of publications, is that established rightwing publishers have stepped up their activities and improved the appearance of their publications, as well as their services. (We all know that a publisher may have many kinds of books in his line, right-wing and left-wing, but I am generalizing for the moment.) For example, Henry Regnery of Chicago has added substantially to its line of right-wing books and is doing a better and better job of presenting new products. The Bookmailer, which is a distributor and publisher, has made it easy for right wingers, as well as other booklovers, to get the products of the intellectual right wing. It is important to know, if you don't, that The Bookmailer is the operation of Lyle Munson, whom Robert Welch has described publicly as his good friend who has published all of the 100 books on the John Birch Society recommended list.

The John Birch Society has set up a subsidiary publishing house called Western Islands which has published such distinguished authors as Holmes Alexander, syndicated for years by McNaught. Nowhere on their books is the identification of the John Birch Society even hinted at, but the corporate connection is not hard to find.

The Conservative Book Club has recently been organized by a professional book man at the address of America's Future, Inc., which runs something called "Operation Textbook," a critical review of textbooks having too many "liberal" messages hidden among their lines. The opening promotions of the Conservative Book Club featured an author named Victor Lasky, who is best known for his thick political biography and/or hatchet job on John F. Kennedy. The club is sponsored by most of the editors of National Review, as well as James Jackson Kilpatrick, editor of the Richmond News-Leader and one of the organizers of the anticivil rights lobby; retired Admiral Radford; Howard Kershner, editor of Christian Economics; and four conservative congressmen. The material it sends out each month to promote its books is among the most attractive I have seen in any field.

Second, the right wing is supplying more of its own book reviews. In the December 26, 1964, issue of *Human Events*, an excellent right-wing publication, John Chamberlain, a veteran reviewer of books, said in his syndicated column that a recent addition to the

literature of the right wing written by Henry Hazlitt "ought to be a hig seller, but since the reviewing world is infested with the fashionable enemies of the Hazlitt view of things, it probably won't get the notice it deserves." That has been the right-wing attitude for a long time and perhaps should be put down to demonology or the conspiracy theory rather than to literary criticism, but the rightwing reviewers are working harder these days than ever. America's Future, mentioned above, publishes a little pamphlet regularly with its review of books, and its commentator, R. K. Scott, is on the radio daily over several hundred stations with a general conservative line of comment.

The Educational Reviewer, run by Russell Kirk, is another example of increasingly greater promotion of right-wing views in book review form. This enterprise was organized by a group called CASBO (Conference of American Small Business Organizations) as a way of showing to the American people the story of free enterprise. A congressional investigating committee, the Buchanan Committee, found that the Educational Reviewer was an "ingenious contribution to the encyclopedia of pressure tactics." It concluded: "The long-run aim of this program is obvious and this is nothing less than the establishment of CASBO's philosophy as the standard of educational orthodoxy in the schools of the Nation. We all agree, of course, that our textbooks should be American, that they should not be the vehicle for the propagation of obnoxious doctrines. Yet the review of textbooks by self-appointed experts . . . smacks too much of the book-burning orgies of Nuremberg to be accepted by thoughtful Americans without foreboding and alarm."

The Educational Reviewer publishes a quarterly called *The University Bookman* and also run by Russell Kirk, a leading intellectual of the conservative movement. Other regular, right-wing publications carry hard-hitting book review sections. The prime example of this is Professor Revilo P. Oliver's contribution to the monthly John Birch Society publication, *American Opinion*. Book reviews consistently get good space also in *National Review*.

#### "Nonbooks" appear

Third, the "nonbooks" are coming on stronger. I call them nonbooks, because they

are essentially overdrawn pamphlets, but also because most of them have "nonpublishers." By this I mean that they have no established publishers. I do not mean to criticize the sudden entry into the publishing business of any new enterpriser at any time. The point is that these "books" just appear from someone's living room or even some less identifiable place.

For example, during the campaign of 1964 the book by John Stormer, None Dare Call It Treason, reached about 8 million overnight and was published by something called the Liberty Bell Press. When reporters went looking for the Liberty Bell Press, they had trouble finding it. It was finally discovered at the address of a beauty parlor around the corner from the author's home in Missouri. Obviously, these nonbooks are being stimulated and are not being published in the usual sense of a publisher engaging in a business to see if enough people will buy a new product to make it worthwhile for him to put it on the press and to stand behind it. These are being created as a propaganda instrument and then called books as a way of insinuating them into the main stream of our literature.

Examples in addition to Stormer include A Choice Not An Echo, by Phyllis Schlafly, which was designed to influence the Republican convention at San Francisco to choose Barry Goldwater over Nelson Rockefeller, and A Texan Looks at Lyndon, by J. Evetts Haley, a long-time member of the radical right in Texas. We should also mention that H. L. Hunt, the Texas oil billionaire and operator of a right-wing program called Life Line, privately has published three thin paperbacks and that a man named Frank Kluckhohn, who has credentials in the writing game, has turned out a number of campaign-time biographies of this same general sort.

Barry Goldwater's first book, Conscience of a Conservative, which helped to make him famous, was the brainchild of a right winger who works with Clarence Manion in Indiana and formerly worked with Father Coughlin in Detroit. He suggested that a collection of the senator's positions would be a good idea and put the imprint of the Victor Publishing Company on it. This turns out to be a printing plant run by the man who suggested the book. After runaway sales were indicated, the imprint was transferred to a more established book publisher.

There is little doubt that we are in for more of this type of publishing, rather than for less. For example, an organization called The Spirit of '76 House at Holliston, Massachusetts, has announced that it is bringing out a book on Vice-President Hubert Humphrey. All indications are that it will be written by the same man who had an article in the John Birch Society magazine during the campaign comparing Mr. Humphrey with Benito Mussolini.

Fourth, librarians will have a more difficult time in classifying pamphlets and flyers, just as it is more difficult these days to tell what a book is. There is a tremendous stream of miscellaneous material coming from the right wing. For example, H. L. Hunt's Life Line turns out a four-page publication every other day in addition to its daily radio broadcasts and transcripts. Billy James Hargis, who runs the Christian Crusade in Tulsa, Oklahoma, is a very prolific pamphleteer. He attacks everybody from Drew Pearson to Martin Luther King and includes Group Research, Inc. In addition, he turns out many long-playing records, religious items, and even litter bags.

The total is quite a mish-mash of propaganda and misinformation. There is Liberty Lobby, a Washington-based group which got into the publishing business with a campaign tabloid attacking President Johnson, but has also done a pamphlet sharply criticizing the former Republican leaders in the Congress and their "Ev and Charlie show." In addition there are numerous regular newsletters such as Tactics, Heads Up, American Security Council Washington Report, and dozens of casual mimeographs addressed to "Dear Friends" from such people as Rev. Carl Mc-Intire, Dr. Fred Schwarz, Gerald L. K. Smith, and others who keep the contributions coming in. The point is that these may be hard to classify but they are an important and significant part of right-wing literature. In fact, the casual letters are sometimes more revealing than the publications which have second-class privileges and the general appearance of a periodical.

Fifth, radio tapes, films, and recordings are coming in larger quantity. This probably adds no new problems to the librarian because other groups use similar techniques, but do not overlook the tapes and films as a source of the history of the right wing.

Sixth, the regular publications of the right

wing are almost too numerous to mention. We have said that they are quite good in appearance, leaving out contents at the moment, but we ought to mention a few to give an example of publications which a librarian might want, or be called upon to furnish. The White Citizens Councils publish an attractive magazine called The Citizen. On the other hand, an extremist group called the National States Rights Party issues a wild tabloid called The Thunderbolt. In between you have a regular weekly tabloid called Human Events which reports from Washington and picks up most of the conservative columnists, nearly a score of them. Then there is National Review, a slick-paper, highlevel intellectual publication of the Buckley family; and there are other intellectual rightwing publications such as Western Destiny or The Intercollegiate Review, published by the Intercollegiate Society of Individualists. In addition, there are regular publications of conservative groups such as the Foundation for Economic Education, at Irvington-on-the-Hudson; the American Enterprise Institute. at Washington; and the American Economic Foundation, in New York.

Seventh, there is an increasing number of awards, scholarships, and subsidies from the right wing. For example, you may find that some publication said it won an award from the Freedoms Foundation at Valley Forge and you might need to know something about this organization. It is a super-patriotic group which hands out a thousand awards a year, including some to very active right wingers but also some to nondescript schoolteachers, students, and editorial writers.

The subsidies are a little harder to root out. Sometimes they are not mentioned in the introduction of a book, but when they are, it will be important to know something about the organization putting up the money. For example, we found that an Indiana group called the National Foundation for Education in American Citizenship had been sending \$40,000 a year to Human Events, a hardhitting exponent of conservatism or reaction. In fact, the Internal Revenue Service cancelled this group's tax exemption, presumably because it was not sticking to education. A newer group in Indiana, headquartered at Wabash College and called Principles of Freedom, is an open subsidy for textbooks and other books. It states that it plans to

order 5000 books from prospective publishers as a way of getting the books off the ground, and it has a budget of \$50,000 a year. The key man in this planned operation is Dean Benjamin Rogge, who is also chairman of the board of the Foundation of Economic Education and has been a lecturer for the Intercollegiate Society of Individualists.

There are many other foundations which give stipends to authors for learned books. Among these, the Lilly Foundation has been quite active. The Volker Fund has stimulated many conservative authors on many campuses to write books which they may or may not have had in mind otherwise.

Eighth, there is a rash of strange schools and institutions. Among the strangest are the Freedom School and Rampart College near Colorado Springs. Both might be ignored except that some quite high-ranking scholars have journeyed there to lecture, including several members of the Goldwater brain trust in the last campaign. Then there is Carl Mc-Intire's summer school at the Christian Admiral Hotel on Cape May, New Jersey, and Billy James Hargis' school at the Summit Hotel in Colorado Springs. In addition, we have MacArthur Academy in Texas and Bob Jones University in South Carolina. The granddaddy of them all is probably Harding College, which has been called the West Point of the right wing and is known for a steady stream of ultraconservative literature and speakers. Also, Harding College has semiformal arrangements with Oklahoma Christian College, Pepperdine College, and King's College.

An example of the sprouting of the new type of school has occurred at Brookfield, Wisconsin, where the loser of the battle to put McGuffey readers back in the public schools set up a new institution called the Academy of Basic Education. The head of this school, William B. Smeeth, is also active in the Freedom School at Colorado Springs and is a "graduate" of it.

Ninth, there has been an increase in the number of free books offered librarians and private citizens. The mail frequently brings a slender volume or nonbook with the compliments of some right-wing businessman who urges us to pass it along to someone else. H. L. Hunt has been known to send 100 copies of his basic book, Alpaca, to small schools without even letting them know it

was coming. Retired General A. C. Wedemeyer, for instance, sent out right-wing books during last fall's campaign. A librarian, I should think, would have to decide what to do with these gifts and would certainly want to be able to identify them quite accurately, whether he accepts them or not.

In addition to these points, you will always have self-appointed critics, professional or amateurs. These will include demagogic politicians; these will include people like E. Merrill Root, a professor and Birch faithful who writes about alleged subversion on the campus; these will include newspaper

publishers like the Hoiles; and they will include self-appointed critics like J. Evetts Haley, who a few years ago favored hanging Chief Justice Earl Warren, rather than impeaching him.

I sincerely hope that you will help all of us thread our ways through propaganda, opinion, and fact to increase our level of understanding, and that you are not hurt for your efforts. To the extent that you fail, we will have stultification, intellectual conformity, ignorance, unheard ideas, and unread books. These are the marks of extremism, not of the democratic process.

# Defending the Freedom to Read in the Courts

by Edward de Grazia

Librarians are not blanks. Libraries are not town and county suggestion boxes. There are professional and personal values which librarians, of course, believe in, and need to uphold: these bear importantly, even decisively, on whether our libraries can be free. One basic value which must be personally felt is that the librarian is better qualified than the local Citizens for Decent Literature member, public prosecutor, Negro leader, church leader, John Bircher, Mother for a Moral America, American Legionnaire, or what have you to decide what books should be made available in the library. Without that basic value and the will to defend it, if necessary in court, why have a Library Bill of Rights and search for funds and legal means to backstop it?

As a lawyer, I have been asked to defend or help defend from censorship a great work like Lysistrata, important works like Tropic of Cancer and Naked Lunch, possibly less important works like Playboy and Eros, not really unimportant works like Sunshine and Health and The Housewife's Handbook on Selective Promiscuity, but even a motion-picture film called Revenge at Daybreak which I had never heard of and still have never seen. Some of these materials are before the U.S. Supreme Court now. I admit the passion of my defensive efforts does have a tendency to rise in proportion to my affection for the work involved, but I have been surprised time and time again to see how passionate I can get even over a work which has, for my taste, almost, but not quite, "no redeeming social importance." For as "eggheaded" as I often seem to myself to be, I find it very hard to disagree with what the U.S. Supreme Court said a long time ago, before the Roth case:

The line between the informing and the enter-

taining is too elusive for the protection of that basic right [the freedom of press]... What is one man's amusement, teaches another's doctrine, though we can see nothing of possible value to society in these magazines, they are as much entitled to the protection of free speech as the best of literature. (Winters v. United States, 1948).

Or what my dedicated, brilliant colleague, Stanley Fleischman, said a short while ago, in California, when he spoke of the "flimsy paperback," the "friendless book" which he urged it to be the duty of the librarians to defend, because freedom is indivisible and obscenity may be a sin but not a crime.

I think what is behind all this, behind our belief in intellectual freedom too, is that every event of attempted censorship involves a great deal of social importance. How can a request or demand of a librarian that he remove or decline to select a book, even if it is Tarzan of the Apes, ever be a matter of unimportance? And if compliance by the librarian with the wishes, the sexual psychosis of the restraining ethic, is obtained without a specific request or demand even needing to be made from outside—there, yes, is perfect library censorship, which defeats because it ignores your Bill of Rights out of existence.

#### On the offensive

I believe more and more librarians know what to do when their buzzer rings or their mail is opened or their phone is picked up, and someone says, "Please get rid of that book!" There are forms to put the requester where he belongs—on the defensive. There are means, like those reported on by Orrin Dow, to wage battle full tilt; Friends of the Library and Freedom to Read Committees versus John Birchers, the Daughters of the American Revolution, or the American

Legion. There is likely also to be willing and able support available from the nearest ACLU-affiliated group, if solicited. I think it likely that most incidents involving most books, if boldly and firmly faced, will end up finding the librarian still loaning out his book, when the dust clears away.

But some will not. Some incidents will be accompanied or precipitated by official or legal action of a type which forcefully ties the librarian's hands or twists his arm. Emerson Greenaway and others have been involved in such situations. In these, I should say, as well as in any of those which, although unaccompanied by legal action, nevertheless involve some social or political or religious controversy, there is nothing like having a good lawyer around, especially one who knows something about constitutional law and yet comes free or cheap.

The legal advice needed by a librarian censored or threatened to be censored must draw on constitutional considerations as these apply to the somewhat special kinds of situations arising in library cases. A librarian is not a book publisher or a bookseller; he is not a reader: he is not an author. He is not only a private citizen; he is sometimes a private official but more often a public servant. These facts help explain why the enforcement of the librarian's rights-or of the Library Bill of Rights—is neither a simple nor a precedented matter. Librarians will probably have to solve their own problems largely the hard way, as publishers and booksellers are still working to solve theirs. But consider the problems facing a book publisher who wishes to launch a sexually shocking book, knowing that countless federal, state, county, and city officials may get it put into their heads that the book is obscene and take it upon themselves to arrest dealers for selling the book, intimidate librarians for not hiding or destroying the book, and enjoin under threats of judicial contempt anyone else who might think to circulate the book. As you know, some years ago Grove Press essayed to defend, at their own expense, coast to coast, anyone prepared to handle Tropic of Cancer, with results which I am told almost bankrupted the company. Putnam's appears to be proceeding a bit more cagily with Fanny Hill, profiting perhaps from Grove's experience. I hope it is not improper for me to suggest that without the interest, aid, and comfort consistently afforded by the American Civil Liberties Union (ACLU) and its affiliated local volunteer lawyers across the country, such situations might draw to much less satisfying conclusions for authors, publishers, and everyone else concerned, and, most of all, we believe, for the public. Few book publishers can afford to underwrite scores of cases across the nation; not all bookstores can afford to defend even one.

As the difficulty, perhaps impossibility of distinguishing literature concerning sex from literature legally obscene must increasingly be faced, so too groups like the ACLU and ALA become more and more willing to assist in or assume the defense of persons or publications on the short end of a prosecutor's or policeman's stick. A Long Island librarian, Joseph Covino, did this recently (and successfully) for a supressed edition of Evergreen Review.

The feasibility and desirability of achieving some form of confederation for mutual selfhelp in the defense of librarians, as in the defense of booksellers and publishers (and sometimes, as also in the offense of readers), among and between the American Library Association and its affiliated associated groups or the American Civil Liberties Union and its affiliated groups or the American Book Publishers Council and its associated groups, ought not be minimized. The Freedom to Read statement issued jointly in 1953 by ALA and ABPC is a good example of what can be done conceptionally (although the statement, in my opinion, needs at least one significant revision2), but of course any major program of joint action will be harder to come by. My personal, though quite incomplete, knowledge of the nature and extent of the operations of these three groups suggests that considerable

<sup>1</sup>I don't think the Roth case helped much here when the court said: "Sex and obscenity are not synonymous. Obscene material is material which deals with sex in a manner appealing to prurient interest,"

<sup>2</sup> The language in the statement reading "The present laws dealing with obscenity should be vigorously enforced" should go, it seems to me. The motion seems repugnant to the spirit of the Library Bill of Rights for the enforcement of these laws seems so often to arise from those very pressure groups which it is the purpose of the statement to combat. This motion, moreover, seems contrary to the official anticensorship approach of the ACLU which holds that "limitations of expression on the grounds of obscenity are unconstitutional."

information and much strength could be gained by librarian groups wishing to defend or implement their rights, through augmenting their relations with them, perhaps especially with the local civil liberties unions, if only because of their geographical ramifications. As you must know, the unions typically avail themselves and their client-litigants of legal advice and assistance through volunteer services. And not more than a few weeks ago, perhaps as a harbinger of some things to come, the head of a local civil liberties union offered to provide a neophyte Intellectual Freedom Committee representative newly concerned over the same cases involving local booksellers with its own volunteer lawyer.

Broadly speaking, any adequate solution for affording means to librarians to defend themselves in specific cases should not fail to permit the beleaguered librarian to participate in the selection of his own lawyer and, through him, to conduct his own case. This may not always be possible if lawyers associated with sympathetic but not officially connected organizations are used.

On the other hand, a group thinking to fund directly the legal expenses of its members will need to develop a method to exercise some control over the selection, conduct and remuneration of lawyers employed. We all know enough of the marvelous variety of the world in which we live not to be surprised to discover equivalent variety existing with respect to the ability and expected pay of lawyers willing to be called in to advise and defend library liberties cases. Moreover, proffered funds themselves sometimes seem to possess the power to generate civil and even criminal cases; lest the association would want to encourage widespread litigation, more-or-less closely held strings would, for this reason also, need to be attached to a librarian defense fund. But these are matters which I do not wish to overemphasize for they are readily dealt with by common-sense administration.

#### Lawyer-trustee plan

A defense method aiming to afford librarians legal services when needed from among talent disposable on their own boards of trustees was proposed some time ago by Martha Boaz, Archie McNeal, and Ervin Gaines, and has evident virtue. Several problems are evident: 1) to locate existing, or

place nonexisting, able, ready, and willing lawyers among key boards of trustees, surely at least one in every state; 2) to rely on securing from a lawyer so situated prompt advice and forceful assistance in cases, wherever arising in the state; and 3) when a case arises in the same state, city, and library in which the lawver-trustee sits, to secure the quality of assistance needed, especially where the position of the board of trustees itself may be unclear, conciliatory, or even different from the position of the librarian involved. In addition, will the trustee be entirely free of the librarian's special problem vis-à-vis his errant fellow public servant, the local mayor or district attorney or chief of police who has criticized or condemned the book? If a librarian can be "instructed" or ordered to act in conformity with the opinion of the mayor or city solicitor or district attorney that the book is obscene, could a lawyer-trustee readily give the librarian contrary advice? Could the librarian follow it and ignore the competing advice?

Despite such questions, soluble perhaps in any event only by litigation, the possibility of discovering or placing ready and able legal talent upon boards of trustees throughout the country-in the service, as it were, of all associated librarians-would seem well worth pursuing. If such a framework were adopted, such lawyer-trustees should, I would suggest, need to keep in touch with a central office and legal adviser, overseeing the national situation. Equally important, they would need themselves to locate or devise the means to locate almost anywhere in the state other local lawyers who would be available whenever needed. A lawyer-trustee in Manhattan, unless he has unlimited time on his hands, cannot readily be expected to deal forcefully, carefully, and effectively alone with cases arising in Easthampton or Albany or both. A possible solution could be to make some funds of the type discussed earlier available to such key state lawyer-trustees for the hiring of local lawyers needed elsewhere in the states. Again, such lawyers need to be located to some extent in advance.

Alternative possibilities can readily be envisioned for discovering or placing lawyers on the local Intellectual Freedom Committees. One advantage of such an arrangement could be in a possibly greater dedication of the members of such groups to the ideals and concerns of libraries as institutions needing free-

dom. Another virtue should be the expected strengthening of the hands of these groups as well as those of the librarian himself.

Another possibility would encourage the formation of new local Friends of the Library and/or Freedom to Read groups, composed of private citizens, unencumbered by any official affiliation with library or local government system, and oriented as a community group expressing community welfare concerns. Apart from the organizational problems involved, a potential weakness in connection with the use of such groups might be a tendency to dissolve when local censorship business is slow. However, experience shows they can be reactivated.

Of course, the basic task of locating the legal talent needed in states and cities to support the local librarian everywhere will prove, under any imaginable solution, not the least of the problems. Organizations like the ACLU and CORE might be looked into, specifically, here. One approach might be for an ALA administrator-lawyer team, selected perhaps by the ALA's trustee division or the Intellectual Freedom Committee, to visit each state and seek to identify the needed local lawyers in consultation and collaboration with local Intellectual Freedom Committees, boards of trustees, as well perhaps as local affiliates of the ACLU, Friends of the Library, Freedom to Read groups, etc.

#### The law before the Roth case

There was a time, not so many years ago—indeed, less than ten—when I might have described the American law of obscenity censorship for you in a few sentences. It was that static. And nearly dumb. The law was that a publication was obscene if its "tendency" was to "deprave" or "corrupt" those whose minds were "open" to such "immoral influences" and into whose hands such a publication "might fall." This formula, which seems to have reigned for almost a century in America, as in England, had three critical subsidiary points.

First, the looked-for effect of "to corrupt" or "deprave" lay in the likelihood that the material would "arouse lust" or "impure and libidinous thoughts." This point was deflated, one would have thought forever after, by Judge Jerome Frank when, in Roth v. Goldman (1948), he observed: "I think no sane person can believe it socially harmful if sexual

desires lead to normal sexual behavior since without such behavior the human race would soon disappear."

The second point was that the effect could evidently be ferreted out among "the most susceptible," the weakest or youngest members of society. This point had been routed by Judge Learned Hand when, in *United States* v. *Kennerley* (1913), he said:

Indeed, it seems hardly likely that we are even today so lukewarm in our interest in letters or serious discussion as to be content to reduce our treatment of sex to the standard of a child's library in the supposed interest of a salacious few, or that shame will for long prevent us from adequate portrayal of some of the most serious and beautiful sides of human nature. . . .

The third point was that the work could be judged by isolated passages, taken out of context. This one had been condemned by Judge Augustus Hand in the *Ulysses* case:

While any construction of the statute that will fit all cases is difficult, we believe that the proper test of whether a given book is obscene is its dominant effect. In applying this test, relevancy of the objectionable parts to the theme, the established reputation of the work in the estimation of approved critics, if the book is modern, and the verdict of the past, if it is ancient, are persuasive pieces of evidence; for works of art are not likely to sustain a high position with no better warrant for their existence than their obscene content.

It was not until the U.S. Supreme Court took a hard look at the obscenity field and handed down its opinion in the Roth case that the American law as a whole can be said significantly to have begun to change. One of the interesting characteristics of our state and federal system is this prerogative of courts sitting in different states to decide most matters of substantive law more or less the way their states please, with little more than polite regard demanded toward the declarations and holdings of sister courts in sister states. And sometimes even declarations by the U.S. Supreme Court may be considered inapplicable to state or local situations.

#### The Roth opinion

But the *Roth* opinion by the Supreme Court did come to be viewed as the law of the land, controlling upon the deliberations of both state and federal courts, in whatever the state situ-

ated. And the Roth case amended the law of obscenity censorship to read about like this:

A publication is obscene if its "dominant" appeal is to the "prurient interests" of the "average person"—applying "contemporary community" standards. If you study this formula, it may be seen that the victories won by Learned and Augustus Hand were fairly well codified by the Supreme Court. But Jerome Frank's penetrating insight was largely ignored. So was the wise approach tendered by Judge Curtis Bok who, after much reflection, had declared that:

A book might constitutionally be condemned as obscene only where there is a reasonable and demonstrable cause to believe that a crime or misdemeanor has been committed, or is about to be committed as the perceptible result of the publication and distribution of the writing in question.<sup>3</sup>

In place of the old tendency to "corrupt," "debase," arouse "impure and libidinous" thoughts, or "lust," the high court offered an "appeal to prurient interests" as the evil aspect of obscenity. Who cared to know better what those interests might be like was directed by the court to Webster's New International Dictionary: ". . . Itching, longing; uneasy with desire or longing; of persons, having itching, morbid, or lascivious longings; of desire, curiosity, or propensity, lewd. . . ."

I think it only fair to point out that if the Supreme Court had adopted Jerome Frank's "revolutionary" idea—viz., that the arousal of erotic feeling was a good, not a bad—or Judge Bok's (presently Justice Black's) classic approach, the law of obscenity would have withered away overnight. Although the court, when it decided Roth v. United States, did not follow Frank and do away with our national sense of sex shame in one fell swoop, nor follow Bok and tie us to whatever joy and despair complete freedom bears, it did take some pains to say something encouraging:

Sex, a great and mysterious motive force in human life, has indisputably been a subject of

absorbing interest to mankind through the ages; it is one of the vital problems of human interest and public concern. As to all such problems, this Court said in *Thornhill* v. *Alabama*, 310 U.S. 88, 101-102: "The freedom of speech and of the press guaranteed by the Constitution embraces at the least the liberty to discuss publicly and truthfully all matters of public concern without previous restraint or fear of subsequent punishment."

It also said that any work conveying "ideas having even the slightest redeeming social importance—unorthodox ideas, controversial ideas, even ideas hateful to the prevailing climate of opinion—have the full protection of the guaranties."

A few years ago, in a case involving magazines evidently designed to appeal to the "prurient interests" of homosexuals (Manual Enterprises v. Day), the Supreme Court said that, on second thought, "to arouse prurient interests" was really not enough; the material challenged as obscene had also to be "patently offensive" and substantially "beyond the pale of contemporary notions of rudimentary decency," and broadly hinted that maybe only "hard-core pornography" could be found "patently offensive" and indecent.

#### Smith v. California

One other important decision, following Roth, which I feel a need to mention to you here for its likely bearing on the practices of librarians and their vulnerability to suits and threats of pressure and prosecution, was Smith v. California, decided in 1959. There the court announced that no conviction for selling an allegedly obscene book would be upheld without proof of scienter, proof that the bookseller had "guilty knowledge" of the contents of the book, that he knew it was obscene. In laying down this rule, the court took the opportunity to say that obscenity laws should and could not be enforced in such a way as to encourage or require booksellers to screen and censor books. The U.S. Supreme Court's view is so trenchant and as pertinent to the role of librarians as to booksellers that I'd like to quote it a bit at length:

If the contents of bookshops and periodical stands were restricted to material of which their proprietors had made an inspection, they might be depleted indeed. The bookseller's limitation in the amount of reading material with which

<sup>&</sup>lt;sup>3</sup> This approach by Judge Bok was soon seconded by Jerome Frank and today finds its purest expression in the obscenity censorship position of the ACLU, which holds: "limitations of expression on the ground of obscenity are unconstitutional" in the absence of clear proof that the material would cause "in a normal adult, behavior which has validly been made criminal by statute."

he could familiarize himself, and his timidity in the face of his absolute criminal liability, thus would tend to restrict the public's access to forms of the printed word which the State could not constitutionally suppress directly. The bookseller's self-censorship, compelled by the State, would be a censorship affecting the whole public, hardly less virulent for being privately administered. Through it, the distribution of all books, obscene and not obscene, would be impeded.

By last year, however, the Supreme Court had still not taken another hard overall look at the obscenity censorship law. Many of us wished they would, of course, because Roth, in failing to face the fact that obscenity may not exist in any justiciable form, had not gone very far to reduce censorship activity; and the first American publication of Tropic of Cancer seemed to offer an ideal opportunity for reconsideration and amplification. Here was a book, on the one hand evidently obscene by all the old, hopefully routed standards and tests, but on the other a work which just as surely could not be held obscene under contemporary standards, to judge by both its popular and critical American acclaim. And so everyone went to bat for Henry Miller's Tropic of Cancer and that came to include not only the ACLU but ALA. We had to check our aspirations when, for one or another valid reason, the U.S. Supreme Court dealt with the Cancer cases reaching it last year in summary, although correct, i.e., liberating, fashion.

In doing so on the first occasion, it approved the California Supreme Court's ruling that because a book had artistic importance, it could not be found obscene. In doing so on the second occasion, it relied upon its decision and opinion of the same day in the Jacobellis case, involving the motion picture The Lovers. In fact, the Jacobellis opinion by Mr. Justice Brennan (who had also written the majority Roth opinion) seems in several of its most important aspects to reflect the arguments pressed so hard by the various "friends of the court," in their amici briefs filed in the Tropic of Cancer cases. In short these are:

1) That the question of whether a publication is obscene or is protected by the Constitution is a question rather of law, than of fact, which the U.S. Supreme Court will decide independently, when necessary, of adverse lower judge or jury determinations. For librarians this seems to mean you can rely on the highest judicial bench of the land to review lower court actions adverse to the exercise of your rights to select and circulate the works of your choice.

2) That the quality of a work which saves it from subjugation to the vicissitudes of the Roth "prurient-interest" test-that it has "even the slightest redeeming social importance," embraced "literary or scientific or artistic value," and that no balancing of such value against the book's possible appeal to "prurient interest"was proper, for, unless a book was utterly without importance, it could not be found obscene. This moves literary, artistic, scientific, or other social values to a status close to where they should be-as absolute defenses to charges of obscenity. For reasons I will mention a bit farther on, this seems to give you librarians an absolute right to collect and circulate works of your choice.

3) That the redeeming social importance of a book, that is, its constitutional entitlement to circulation free of subjugation to the Roth prurient-interest tests, cannot differ state to state, or county to county. This was a point of particular importance to the Tropic of Cancer situation where, as you know, the disparity of decisions, across state and county lines, was legion. And absurd. As I urged on behalf of over a hundred authors, editors, and publishers, "No city or state may hold its residents down to a lesser freedom of expression, a smaller right to read, than any other city or state, or the nation." As Mr. Justice Brennan said in Jacobellis: "The Court has explicitly refused to tolerate a result whereby 'the constitutional limits of free expression in the Nation would vary with state lines,' Pennekamp v. Florida, supra, 328 U.S., at 335; we see even less justification for allowing such limits to vary with town or county lines,"

For librarians this should mean that a book freed by a final decision in one state or county can be considered free in all states and counties. The contrary, however, would not be true. The authorities of Puritansville, Mississippi, will be obliged to tolerate the circulation there of literature tolerable anywhere in the U.S.—including Satyrstown, Oklahoma. But, of course, this must be. We live under a national constitution protecting every person everywhere equally in his right to read.

#### Library books are protected

Now let me try to point up some of the broader implications of this case law for librarians and the Library Bill of Rights. In doing so, my first point is so far-reaching that it colors all the rest.

It is my opinion that under present law no book selected by a librarian for his shelves can constitutionally be found obscene. Why? Because any such book must have at least some slight redeeming social importance. The very act of library selection testifies to and

engrafts such importance upon it.

This is why, for example, the Kinsey Institute was able to vindicate in court its constitutional right to import even so-called hard-core pornography. The process of selection, the institutional interest, can lend even otherwise possibly "worthless" material the kind of importance necessary to activate the constitutional guaranties of free expression. Therefore, I believe that libraries must have and do have something like a total immunity from prosecution or external coercion in the exercise of their vital functions.

The basic principle for librarians might best be described thus: Any material selected by a librarian, in the exercise of his function as a librarian, is protected. The protection extends both to his acquisition and retention of the material, and also precludes any valid prosecution of the librarian for acquiring or retaining it.

However, this does not necessarily mean that a librarian is protected or that the materials circulated within the library system are protected under all circumstances. To say that a librarian today has an absolutely protected right to select and retain any material is not to say that he will be free or protected if, for example, he displays blown-up photographs of the Pompeiian frescos, or the Konarak or Devi Jagadamba Indian temple friezes, on the main reading room walls, or even if he loans out a copy of Candy to a child of fifteen. But these two general types of situation or action aside, the librarian, in my opinion, under the law today is absolutely entitled to acquire, and make available to an adult, for library purposes any book, in confidence that any prosecution of him or injunction against him by state or federal authorities for any of these acts would, if properly presented, be invalidated by the U.S. Supreme Court. The job of getting to the U.S. Supreme Court and keeping out of jail or in your job is still, however, at least half the battle, and librarians challenged in the exercise of the full right I have just alluded to will need and should have every aid the ALA can afford-including a network of legal services.

Even this sweeping assertion, however, leaves two areas of concern for librarians wishing to exercise to the fullest their own Bill of Rights: 1) the placement within the library of its collections and 2) practices where minors are concerned. The first area is quite limited, but in addition to the kind of situation suggested by the Pompeiian frescos and Indian temple friezes (some of which are so beautiful, they almost belong on a library wall) it might embrace such possibilities as placing Belt and Garter and Sunshine and Health alongside Good Housekeeping on the open magazine rack, and placing Dr. Benjamin Karpman's Alcoholic Women and Wilhelm Stekel's Sexual Aberrations alongside Agatha Christie and Tom Swift or Roma Amora alongside Great Art of the Western World on the reading room shelf. On the other hand, there is no good reason I can think of why magazines like Evergreen Review and Playboy should not be placed on the rack next to Good Housekeeping and Vogue.

#### Dealing with minors

The problem of exhibiting and circulating books to minors cuts much more deeply into the contemporary concern with obscenity as a potential for psychological harm. Pertinently here, in terms of the developing law-I mean. in terms of what the U.S. Supreme Court seems likely to hold during this decade—the high court has given no sign yet that it feels children should have the same rights as adults to read what they wish, or-and maybe this is the point-that children have the same strength to weather and to choose, "though all the winds of doctrine were let loose to play upon the earth," in Milton's famous words. Mr. Justice Brennan suggested, in Jacobellis, that "state and local authorities might well consider whether their objective in this area [obscenity] would be better served by laws aimed specifically at preventing distribution of objectionable material to children, rather than at totally prohibiting its dissemination." Here, of course, the fundamental issue may involve whether parents will directly assume, or delegate to police and other government officials. the responsibility for watching over the reading habits of their children.

This poses special problems and challenges for typical librarians, even more than for typical booksellers who for the most part, I assume, feel little special responsibility for the education, sexual or otherwise, of our young. Librarians, however, at their proper best, are very much concerned that youth have access to materials which can help shape the moral, aesthetic, and intellectual fibres of their minds. Ervin Gaines exposed the problem and put forward a possible answer in the ALA Bulletin for last July-August as follows:

These questions press hardest upon us all when children are involved. Society has long held that children are not fully responsible, and by agreement it withholds full rights of citizenship from them until a certain level of maturity is attained. When a dubious book gets loose in the cultural stream it may and certainly will bump into immature members of the social body. This gives rise to urgent and quite understandable fears. While we would be merely arrogant to say that such fears are without merit, we can reasonably assert that living is dangerous and that the proper attitude may very well be to train children to a knowledge of danger in order to avert disaster.

And let me recall for you an important piece, written by our poet-critic John Ciardi, in the Saturday Review (February 6, 1960), about our rebellious youth, our beatniks, and American literature:

I hope the next time the young go out for an intellectual rebellion, they will think to try the library. It's still the most subversive building in town, and it's still human headquarters.

And mustn't general libraries like school libraries and other elementary institutions of education encourage access to literature which, in the broadest sense, offers sex education? Why is our society still so content to let our children learn the most fundamental, and I mean fundamental, aspects of sexual behavior from back-street pornography, the true evil of which resides in its sad ugliness, its dismal honesty? Cases are beginning to arise more frequently now involving bookstores and children, but the impression is quite strong that the booksellers are being entrapped into sales to minors by the same groups claiming to wish above all to protect our minors. This parallels the rather perverse tendency of some extremist organizations to reprint and pass out publicly reprints of the so-called "dirtiest" parts of books like Tropic of Cancer after the book has been finally freed!

For the time being, for librarians, if the problem of minors is faced, it can, I think, also be dealt with effectively—dealt with, that is,

in a manner which will not in any way restrict adult access to material, nor too far discourage' children from learning of adult sexual experience through literature, science, and art, nor put the librarian in jeopardy of legal restraint or suppression.

Book, film, and art collections can be segregated; age or education requirements can be set; parental approval might be required. Whatever drawbacks such limitations have, and they all clearly do, at least they offer to children a promise of full access, within the limits of any library's collection, upon the basis either of parental approval, reaching a certain age, or progressing to a certain level of education.

The constitutional law of obscenity is moving inexorably toward, if it is not already there, freeing all literature for adults or, put the other way, freeing adults to all literature, thus granting to those persons and institutions in our society who function to give effect to that freedom—including librarians—full discretion to offer adults whatever interests them.

#### In rem proceedings

As you of the Intellectual Freedom Committee especially work in this direction, I would like to mention, at least in passing, my belief that the more we can oblige governmental authorities to act in this field through so-called in rem proceedings, rather than criminal proceedings, the quicker the law will arrive where it ultimately must. Even from the standpoint of commercial book publishers, I feel this is true. For librarians, it seems even more free from doubt. A criminal acquittal may reassure a librarian that he can circulate the book involved. But while a criminal trial pends, and any trial may pend for months, even a year, or more, a librarian will tend naturally to hesitate to circulate the book involved. This should not be, in a criminal or in rem civil situation.

In Boston (and Boston in this area is not at all what it used to be; perhaps Philadelphia is) an important statutory-administrative policy is developing under the leadership of Massachusetts Attorney General Edward Brooke, whose office, I wish to point out, has a Civil Rights Division concerned with protecting, among other rights, the right to read. Under this perhaps unique policy, the attorney general exclusively inaugurates "obscene" book cases, and these only via in rem proceedings;

this seems to mean that criminal proceedings involving a book may no longer be invoked. This policy was helped into formation by Ervin Gaines and the Massachusetts Library Association, the Massachusetts Civil Liberties Union, and a publisher, Grove Press. Now, following the U.S. Supreme Court Quantity of Books v. Kansas case, and despite statutory language to the contrary, which must be considered dead, the attorney general agrees that book distributors are not legally prejudiced, during the course of obscenity proceedings, if they circulate the book. This fact and its importance are not yet generally known nor, I should add, finally and for eternity established; but the Massachusetts situation could develop into a model situation which librarians, in my opinion, ought to watch, and think to follow-as long as laws against obscene or otherwise objectionable literature remain in operation.

If we believe what we profess and take action to enforce our beliefs, the library will become everyman's gateway to knowledgebut knowledge of everything that men have found the wish or need to inquire into or express, and the means and ability to record, and hand across or down, generation to generation, age to age, city to city, nation to nation, race to race, color to color, man to woman, woman to child, seer to student. The right to read anything is not unlike the right to believe in anything: Freedom to read is indeed blood brother to the fundamental American principle of toleration. I hope you will succeed in developing the legal and other means necessary to enforce your Bill of Rights, for it can open wide that gateway to knowledge, and I can't think of anything more important.

## Censorship as Seen by Other Groups

#### CENSORSHIP AND THE SCHOOLS

by Richard B. Kennan, Executive Secretary, Commission on Professional Rights and Responsibilities, National Education Association

Probably no librarian has yet suffered the indignity that a midwestern teacher suffered when he was awakened in the middle of the night, arrested, and put in jail as a result of a warrant sworn out by the board of education resulting from a protest by a parent. The man's personal library was seized by the police and some of the books in it destroyed. As soon as he recovered from the shock of his experience and began to move logically, he notified his state professional association, which went to bat for him, got him out of jail, and supported him in the courts. His crime was that he had allowed some of the students in his high school class to read The Stranger by Camus. Since it happened that he was not adequately prepared for the position he held and was teaching only on an emergency permit, the association arranged for him to have a scholarship to help him become fully qualified for such a position.

Consider the difficulties of the situation when all of the teachers of one subject in the high schools of a large city unanimously agreed on a specific textbook by one of the most highly honored writers in his field, but the board of education rejected the request because of certain footnotes in the book. For more than three years the teachers taught that subject without any textbook whatever until the board could buy an edition of the textbook that omitted the repugnant footnotes.

Of course, the teacher who assigns a book that some people find distasteful while he is still a probationary teacher and not on tenure can be fired without much difficulty because he has not achieved status that gives him adequate protection. If the reason for his dismissal is stated to be the use of a specific book or books, a protest may be mounted that will be embarrass-

ing to those who took action against the individual, but legally there is little that can be done.

On the other hand, the tenure teacher who assigns Catcher in the Rye or 1984 or any other controversial book for class study can be defended through hearings, and even court procedure, because tenure status assures that specific procedures will be followed which protect the individual teacher against dismissal for capricious and unreasonable causes.

In addition to securing fair dismissal procedures, there are a number of measures that educators use to protect freedom to teach and freedom to learn, including protection against censorship.

1. Local associations can induce local boards of education to adopt specific policies for handling controversial matters. Recently I met with a local association committee in the Southwest that was deeply disturbed because a parent had made a vigorous protest against a teacher in an open board meeting, and a board member had taken a position concerning the protest without the teacher having heard anything about it beforehand or being given any opportunity to present and to report the facts in the case. What had happened was that a youngster had brought a copy of a Saturday Evening Post editorial to class, the one that referred to a recent presidential candidate as a "wild man," and the teacher had read the editorial aloud to the class. Now there may be some question of judgment in reading such an editorial aloud in the candidate's home state under any circumstances. But this was an experienced teacher who was highly respected in the community. The class had been interested in materials concerning both of the principal candidates in the political race, and the teacher actually used this editorial as an example of biased material as compared with accurate reporting. The school administration and the board of education stood firm in back of the teacher, but the teachers themselves wanted to be sure that procedures were established to prevent a repetition of the unfortunate publicity that grew out of newspaper reporting of the board meeting where the charges were discussed with only one point of view presented. Adequate written policies, known to all affected by them and officially adopted by the governing board, are a basic safeguard to freedom to read and freedom to learn.

2. Boards of education need not only policies, but also procedures, for dealing with censors and other critics. Perhaps you will recall a protracted controversy in Scarsdale, New York, when a group of people protested vigorously, noisily, and at great length against the use of certain books in the school libraries and classrooms. Week after week the board spent many hours listening to individuals protesting the books. Finally the community became aroused, and many outstanding citizens came to the support of the schools and the board of education. In the final analysis it was found that the protestors really consisted of a committee of only seven persons who had been monopolizing the time of the board; although they professed to represent a large group, actually the great rank and file of the community was opposed to their point of view. Every board should have procedures so that the public may present its point of view to the board, but so that no group will be allowed to take an inordinate amount of time and attention to the detriment of the ongoing program of the

3. Local professional teachers associations have organized professional rights and responsibilities committees in thousands of school districts today. At one time it was necessary to set up special committees and procedures for dealing with specific problems such as censorship, but today many local professional groups are ready to move quickly in support of a teacher, a book, or a procedure that has been unjustly attacked. Valuable time is lost, and often the critic's point of view gains support that it does not deserve, when there is no agency immediately available to deal with the problem and assure a fair hearing and adequate presenta-

tion of the facts in the case. 4. Teachers have learned the importance of knowing who their friends are, and of working with them in good times as well as in times of difficulty. Academic freedom is only one phase of the whole broad spectrum of freedoms. No intelligent newspaper editor or reporter needs to be told that academic freedom is closely related to freedom of the press; if access to different points of view can be excluded from the schools, it will very soon be excluded from the press. Librarians understand that the freedom to read and freedom of access to materials are as important in the schools as they are in libraries, if not more so; if the censors can control what books are permitted in the classrooms, they will also control what books are available through the libraries. Minority groups are usually quick to realize that the efforts of any special interest group to prohibit points of view of which they don't approve from discussion in the classroom are a threat

to them; if any point of view can be excluded, then all points of view, except those espoused by the majority, can be excluded and education would become mere indoctrination.

5. State professional associations of educators have fought many cases in support of teachers. Some state associations have defense funds on which they can draw in order to carry cases to the courts. Skilled staff is available to advise individuals and local associations who are having difficulty with censors and unreasonable critics.

6. The National Education Association through its policies and services effectively opposes censorship. The NEA Journal and other publications contain articles concerning censorship. The Commission on Professional Rights and Responsibilities has issued a number of materials, and has provided reprints of materials by other organizations, concerning censorship and related issues.

So far as we have been able to learn, only one teacher has been awakened by the pounding at the door by the police in the dark of the night, with seizure and destruction of personal property, and with need to clear himself against generalized and mysterious charges. Others have suffered to a lesser degree and still others must expect to do so in the years ahead. This is one of the prices we pay for being a democracy and also being interested in protecting our young people from immoral and damaging influences. From time to time teachers undoubtedly have erred in judgment and have permitted youngsters access to materials for which they were not prepared. Such cases have been, almost without exception, errors of judgment and not of malicious intent. Our greatest danger is that self-appointed guardians of the minds of youth, blinded by self-righteous confidence in their superior judgment as to what is best for others, will have two disastrous effects: 1) They will make the punishment so excessive that it does not fit the crime and by their clamor distort situations so that emphasis will be placed on personalities rather than issues and the basic problems will be obscured; and 2) a condition of fear may be established so that students who need opportunity to become acquainted with varying points of view will be denied that opportunity and thereby become to some degree slanted and biased in their points of view.

Librarians, teachers, legislators, representatives of the press, other major agencies—each has an obligation to keep access to information and the search for truth available to all who are concerned. When we in the field of education fight for academic freedom, we fight not for teachers alone, but we do battle for freedom in general. The teachers' loss would be a loss for all who love and recognize the importance of

freedom: Any victory against unreasonable, restrictive forces is a victory for all of us.

## CENSORSHIP AS SEEN BY ENGLISH TEACHERS

#### by Enid M. Olson, Director of Publications and Public Relations, National Council of Teachers of English

Last November the National Council of Teachers of English (NCTE) passed its third formal resolution in four years on the right of students to read. Thus it reaffirmed its policy statements on "Censorship and Controversy" of 1953 and "The Students' Right to Read" of 1962. The resolution last November began with the words, "Censorship of books is still a national problem," and ended with the words, "The schools must be allowed to teach books with a wide view of human experience."

When we returned to headquarters after the convention, a reporter from a national newspaper called to ask, "But is censorship still a problem in the schools? Aren't things better

than they were in 1962 and 1963?"

I was tempted to say "yes." After all, the Texas Education Agency had reasserted its right to professional selection of textbooks. The Columbus, Ohio, schools had maintained their right to keep controversial titles in the English classrooms, school libraries, and bookmobile. The superintendent in St. Louis had been able to insist on keeping Only Yesterday in their school libraries. And since then the Illinois Education Association has affirmed the right of teachers to recommend reading lists.

But you who read the Newsletter on Intellectual Freedom and the publications of the Freedom of Information Center know that things are not that much better. And as I told the reporter of the censorship incidents I recalled in 1964, I reminded him, "These incidents, many or few, cause just as much tension and hardship for the

people who are living through them."

The NCTE has always maintained that teachers and librarians have a right to teach students not to be afraid of ideas but to try to understand them, to test them, to learn to use them wisely. For truth often abides in new ideas. Loss of a single truth is not a "pick-it-up-next-time-around" thing. John Milton's warning should haunt us: "... revolutions of ages doe not oft recover the loss of a rejected truth, for want of which whole Nations fare the worse..."

Twenty years ago George Orwell said this in a

public address:

. . . the destruction of intellectual liberty cripples

the journalist, the sociological writer, the historian, the novelist, the critic, and the poet, in that order . . . if the liberal culture that we have lived in since the Renaissance actually comes to an end, the literary art will perish with it.

That is why we English teachers, who are dedicated to literature as a subject matter of our instruction, must insist on our students' right to read literature—classical, historical, or contemporary.

But one other thought which we have not usually considered in this context has kept intruding itself upon me since I attended a meeting of the Committee on Free Speech of the Speech Association of America last month. English teachers are dedicated also to oral and written composition as a subject matter of our instruction. In trying to teach students to speak and write well, we guarantee-or I hope we dotheir freedom to say what they believe. We hold them responsible only for fidelity to fact, adherence to logic, clarity of expression, and awareness of the rights of their audience. If they hold to those criteria, we tell them, they earn for themselves our heritage of free speech. And if they earn the right to freedom of speech, dare we let anyone deny them the right to read what others have said before them?

## GRAPES OF WRATH IN THE VINEYARD OF ILLITERACY

### by Robert F. Lucid, Executive Secretary,. American Studies Association

If one is properly to understand how a certain development has taken place in American law concerning literature and obscenity, and if one is to understand further why the work of librarians, teachers of literature, and other strugglers in the vineyard of illiteracy has about it a certain atmosphere of irony, one must first distinguish between our culture and its art. Our culture is a community of institutions, organized into a vast and many-chambered system, in which most individuals find, or have found for them, a function. The relationship between the individual and the system of institutions in which he exists is dynamic, and in a society so filled with power as our own it is usually the most vital single relationship maintained by the individual. Sometimes he creates works of art directly in response to this relationship, works which are analytic of it or, more broadly, analytic of the relationship as it is maintained by people who do not respond to it as artists. Whether the art which an individual produces in the face of institutional vitality is about institutions, however, or whether it is about nature, or God, or something else, such art is, from an institutional point of view, nonfunctional. That is, it has no function in the process of creating or maintaining society's institutions. Its function is merely to create an emotional response within individual perceivers of it. A consequence of art's nonfunctional character is that it is generally ignored in the culture.

The reason most nonartists in the culture ignore art is that the potency of the culture's institutions tends to transfix the attention of the individual. Being transfixed he regards the institutionally nonfunctional as irrelevant to the reality of his own experience. He is wrong-attacks upon the basic principles and practices of one's life are not irrelevant to one's life-but his mistaken notion has permitted a curious phenomenon to develop: A major institution of his culture, operating in the vacuum of his indifference and directed by kinds of individuals quite extraordinary in their institutional character, has set out to protect the culture's artistic integrity. American law, since the Ulysses decision but especially since the mid-1950's, has more and more pointedly been shaped to defend the right of the individual to create, and the concomitant right of individuals to enjoy, whatever artistic forms the human imagination could bring to realization. Constantly, legal opinion accelerates in this direction, each opinion surpassing the last in recognizing how imaginative creativity resists institutional direction. Were it not for a growing rage in some artists at the indifference of the public to the artistic experience—a rage which drives the artist at times to intensities of provocation which even the most benign jurists must lag behind—the happy separation of worlds might continue indefinitely. But, given the dependable ability of potentially hostile forces to seek each other out, I think one can expect the future to reveal something considerably less than peaceful coexistence.

Meanwhile, within the culture, life goes on. Librarians, teachers of literature, and intricately motivated publishers keep trying to roll back the darkness and to convince that vile body, the great American public, that literature is a profound experience. Though the missionaries don't always agree on the question of which books ought to be read, one often hears that the work produced by the artists of one's own generation has special claim to the attention and offers special if sometimes unsettling possibilities. Modern or classic, however, English or translated, the product doesn't move very well. For various reasons, literature courses in schools continue to contain many students, but the real number of people who read fiction of any consequence, compared to the number of people who are technically literate, is almost negligibly small. Any

community librarian knows that for every two people who enter the door seeking the powerful, twenty come in after the trivial, twenty more come after data designed to facilitate their institutional skills, and the rest are there to get out of the rain. Much more to the point, of course, is the fact that, statistically speaking, almost nobody goes there at all.

But what if that should change? What if the great body of literate Americans were to be brought into contact with the more controversial of our modern writers: with Lady Chatterley's Lover, Tropic of Capricorn, Naked Lunch, or Last Exit to Brooklyn? What if Herzog, Another Country, and An American Dream were really to penetrate most of the homes in most of the communities, instead of being shelved with the literary fringe? I should think it obvious that the response would be one of profoundly antagonistic reprisal.

The issue, after all, which our legal institution has dealt with so uncharacteristically, is obscenity. It takes no great insight to recognize that the sexually unconventional, in a very great deal of modern literature, is employed by the artist either directly to attack the sensibilities of the reader—sensibilities which seem to the artist to have been debased by institutional relationships -or, as in the gentler work of Saul Bellow, at least to create an atmosphere of absurdity around the pretentions of the institution-riddled individual. Well, what is the reaction of the institutionalized man to be when he finds the most elementary-which is to say the sexual-foundations of his world being attacked, ridiculed, condescended to, and caricatured? Surely the most optimistic librarian, the most sanguine television literature teacher might pause on the point. Isn't the probability manifest that his reaction would be to bring institutional pressure-presumably political in character—against writer, publisher, bookseller, librarian, and teacher?

Yet publisher, bookseller, librarian, and teacher, not to speak of the writer, strive daily to bring the event about. When all is said, they can do nothing else. But the prudence which leads the American Library Association, for example, to prepare in advance for the consequences of such efforts, by securing legal counsel and expert advice on how to respond to political attacks from various sources in the community, is reassuring to observe. Professional associations of teachers, publishers, and other interested parties (the writer, as always, poses a special problem) are well advised to study and cooperate in such efforts. In doing so they acknowledge the potentially devastating political implications of the Supreme Court's action in this area, and realistically foreshadow the fact that if and when the work of America's artists

really reaches America, we can look forward to no cultural love feast. We can expect a fight.

### A TRUSTEE'S THOUGHTS ON CENSORSHIP

#### by Charles E. Reid, President, American Library Trustee Association

What I am concerned about in the realm of intellectual freedom is that trustees and lay people alike have not analyzed seriously the so-called censorship problem, understood fully the history of censorship and the implications and ramifications of censorship, and then related them to their library policies and philosophy of library services based on firm personal convictions.

Needless to say, there are numerous aids to assist in doing this. A number of years ago, ALA's statement on the Freedom to Read had a tremendous impact on public library philosophy. That many boards of trustees debated and then approved the adoption of this policy is one of immeasurable pride to all those involved in library service.

Trustees must be aware of their responsibility in the political and legal processes of government and be prepared to take a leadership role in order to assure that library services will be maintained to provide an honest cross-section of thought with complete freedom.

But even with these tremendous strides, we have failed to nullify or conquer those who restrict the written word. It is to the credit of the general populace that, when battles are fought for intellectual freedom, more often freedom is the victor.

In my library life and my board of education life for the past ten or twelve years, I have only had to fight one such major battle, although there have been minor skirmishes. This was in the early stages of development of the library in Paramus, New Jersey, when a particularly articulate and respected ex-Army officer, representing the American Legion, gave the library board of trustees a list of books he felt should be on the library shelves as well as a list of those he felt should be removed. Because of the courageous endeavor of the librarian, together with the aid of a knowledgeable board of trustees and the assistance of many lay people, the fighting was short and the library's victory final. No doubt, the fact that at the time I was also commander of the V.F.W. helped to some degree.

It seems to me that those who question the ability of the average individual to place in proper perspective the varied books with which he may come in contact and read, question the ability of the average individual to face the realities of life itself. No one of us, at some time in our life, has not been exposed or subjected to cruelty, perversion, filth, and radical and minority thinking, just as no one of us has not been exposed to beauty, a firm endoctrination of the social mores, and the ethics and history of our cultures. There is often more "pornography" in the plebeian literature of the newspaper and the newsstand world than there is in any of the socialled "questionable books" which have been the victim of censors.

The person who reads seldom limits himself to one area of thought, and the diversity of his thought processes generally serves to give him proper perspective. It is our duty, as trustees of libraries, to assure that our collections, established through policies of book selection according to professional standards, encompass the world of thought fairly and without emphasis. One cannot appreciate beauty without the opportunity to relate it to the ugly; one cannot appreciate that which is legal and moral without a knowledge of what happens to those who have ignored the legal and the moral, and the conditions under which each are to be considered.

It has been said, "The price of freedom is eternal vigilance"; so it is in the field of intellectual freedom. The meetings we have held here certainly will not solve the problems of censorship, which we have lived with for as long as men have been able to document society's progress, but they make us aware of the need for this constant vigilance. They do assure that we will continually evaluate our thinking relative to the freedom to read. They will assure that we will continually fight as vigorously for that which we believe in as those who seek to take this freedom away.

To me, it is unthinkable that our great nation, which has seen such great progress through the philosophy that it has the responsibility to educate its people to the maximum of their abilities, should ever become a part of limiting this education to that which "appears" acceptable to any one group at any one given time. Perhaps our national passion for conformity breeds an atmosphere conducive to censorship. Many aspects of the social revolution in which we are continually engaged would be considered almost treasonous by some of our forefathers, who themselves seemed radical and treasonous, in turn, according to the general philosophy of their times.

As it is well to be made aware of the tremendous advantages of the broadening society in which we live, it is also advantageous to be made aware of the potential dangers to which we, as individuals, may subject ourselves in es-

tablishing this society. Only by the evaluation of both elements can we truly embark upon the Great Society spoken of in these times.

I can offer no great, profound thought in this fight for intellectual freedom, I can offer no remedy specific enough to erase the evils of censors both biased and well-meaning. I can only offer my own personal thoughts and beliefs, and pledge myself and those with whom I may come in contact and be able to influence, to evaluate and consider the dire results of the potential restriction of the mind. A good deal of work can be done on the part of all of us to promote higher standards by publishers, journalists, and authors, standards based on honesty and integrity, so that we have a realistic knowledge of those persons and aspects of our society present, past and future, good and evil, right and wrong, moral and immoral, thoughtful and thoughtless. If we do this, there can be no need for fear by anyone.

## THE PUBLIC ORGANIZES FOR THE FIGHT ON CENSORSHIP

by Harold F. Flanders, Chairman, New Jersey Committee for the Right to Read

In representing the readers' point of view in regard to censorship, I should first qualify the experience which fits us for this task. The name of our group is the New Jersey Committee for the Right to Read. We are but ten months old, and we number upwards of 75 members, made up of doctors, lawyers, merchants, chiefs, and, I suspect, a few of the second-line categories as well. There are among us many offspring of all ages.

Our group formed for the purpose of offsetting local censorship on a local basis since we had seen how interlopers are treated when suggesting solutions to problems in communities other than their own. We have learned we can be of most assistance by offering organizational knowledge, research effort, speakers, and encouragement to the people who share our concern about censorship in communities where it springs up. We are not a membership organization essentially, but we can help stimulate the formation of such groups in affected communities.

We have found that the biggest problem for the newly formed group is deciding where to draw the line. Many views are held among those of our persuasion, as is the case among those we oppose. So we have settled simply on the line which the law draws. If a book is judged pornographic in due process, then out it goes. If not, leave it alone. We may differ individually, but this seems a safe and reasonable departure point as a group.

When we get into action, the most frustrating experience—one we have not yet learned to cope with—is the attempt to establish dialogue between the local censorship groups and ourselves. Getting a confrontation is exceedingly difficult; but even when one occurs, we haven't discovered how really to communicate with each other, possibly because we tend toward the use of logical, reasonable, intellectual arguments and they tend to argue from the emotional point of view. We simply seem to talk past each other. I would hope that academic groups, such as the ALA, who are far more informed on such matters than we, might be able to help discover how to bridge this gap.

Now for mechanics. What seems to work best in the fight we make? Several instances have reinforced our feeling that exposure is the best policy. Thanks to a favorable press the notices are, on the whole, very helpful. If our position is right, then exposure to the public of the methods and intentions of censorship groups must work in our favor. And they frequently help us by their utterances. Woodrow Wilson once said: "The greatest freedom of speech is the greatest safety, because if a man is a fool the best thing to do is to encourage him to advertise the fact by speaking." Our opponents seem to sense this fact also since they work quietly where possible, and one of our most difficult problems lies in unearthing the specifics of their activities.

We feel that the offensive girly magazines, about which they raise the largest hue and cry, should be considered a symptom, one which serves a purpose in keeping the communities' eyes focused on the disease. Were the various censorship groups successful in sweeping this low-grade reading material under the rug, society could all too easily lose sight of the graver, more basic problems underlying such displays. Until we arrive at a better balanced, healthier attitude toward sex, this kind of merchandise will probably continue to be profitable.

The censorship battle, as citizens presently are viewing it in the communities, probably will not be won until the so-called newsstand smut virtually disappears, but only because it is no longer profitable. Escalation seems to be inevitable since, when citizens start worrying in this area, the anxiety spreads until textbooks, libraries, and newspapers are affected in varying degrees. It is not a matter of whether the librarian is involved in a local censorship fight, it is more accurately a matter of how soon and to what degree. If, in the educator's attempts to spread literacy, he exposes increasingly large numbers of relatively unsophisticated people to new ideas, it is perfectly reasonable to expect

the volume of anxieties to rise. Now if this is so, it behooves us to look at how we in the community and you in the American Library Association might "use" each other in the best sense of the word. We are fighting grass fires in the hope of putting them out before they get too large. If we win on the news dealer level, then boards of education or library trustees are less likely to become involved. Hopefully, we may quell the riot before it gets to you. That is, we might if there were enough of us. Perhaps this is where you can come in.

It's probable that any community where censorship makes an appearance has among its number several thoughtful people who are disturbed by such a trend; but they are unorganized, don't know each other, and doubtless underestimate the combined strength of their feeling. Your librarian probably knows the liberal elements in the community and could be instrumental in getting them together to explore their feelings and possible courses of action. Such little groups, being unknown, have no particular stature or respectability in the community, but your organization has and might share it. These groups have little knowledge about the problem or its cure; your research should help them. The librarian's contacts may be instrumental in providing money or services for the fledgling group, both required to keep them alive. Through the resources in your association, it may be possible to furnish organizational advice, meeting places, speakers, and forums for confrontation. Your experience in these matters may enable you to furnish valuable assistance in ways we cannot even imagine, and none of these need necessarily put you in the very foretront of a community battle.

Above all, it is very comforting to those of us in the community just starting out to realize that there are people around like you who share our views and are willing to back us in some ways. We feel that man is perfectable, that he is more good than bad. If he is ever going to make it, there must be growth and development. History shows that a climate of freedom offers the best opportunity for growth and development. With these positive assumptions about the nature of man, a clear case can be made that a free flow of information is essential to our progress.

Alan Barth, in his book, The Price of Liberty (Viking), says it well: "If there is a danger from the outcasts of society who violate the law, there is also the danger from the law-abiding, who in an excess of anxiety may jettison liberty for the sake of safety. When people become indifferent to civil liberties for all, they are well on the way toward losing them. A free society cannot be a riskless society."

## A RESOURCE IN THE FIGHT AGAINST CENSORSHIP

by Nancy Baker, General Manager, Freedom of Information Center

The Freedom of Information Center is not only willing to work with the American Library Association and others against censoring tactics, but is prepared to work for these groups. I am pleased to tell you today about the nation's only clearinghouse and research center devoted to information problems and the services it offers.

The center, begun in 1958 and located at the University of Missouri in Columbia, collects materials on actions by government, media, and society that affect the flow and content of information-local, state, national, and international. To collect this information the center clips more than fifteen major daily newspapers, about 200 periodicals, as well as bulletins and newsletters from media associations and organizations. This clipped information goes into some 600 major files and an unknown number of specific case files. To prepare for this particular conference, for example, it was necessary for me to read over thirteen files-censorship of books and its many case files (Tropic of Cancer, Candy, etc.), criticism of libraries, economic controls of libraries, textbook censorship, obscenity-pornography, state book controls, censorship/popular dialogue, etc.

These files are studied and the findings are published. Printed bimonthly is the Fol Digest. In the latest Digest issue some of the stories are "Extremist Groups Pressure California Libraries," "Medical Academy Asks Smut Study by FBI," "Obscenity Laws Undergo Review in Two States," and "Biology Textbooks Survive Charges of Atheism," which should indicate well the center's interest in this important field.

Each Digest features an annotated bibliography of periodicals relating to flow-of-information problems, as well as law review articles from across the nation. A separate law review filing section is maintained, as well as cabinets for films, slides, and tapes, etc.

Also published are two monographs a month—more than 130 to date. Of particular interest to this group would be an 8-page one published in December 1964, "Pressures on the Libraries."

All of these publications are sent free to anyone requesting to be on the center's mailing list (close to 1500). Charges are asked only for bulk orders and for handling mailing costs where entire back files of publications are requested. The center services all requests for information whether from high school students, bar associations, or librarians. The most common and easiest to fill is for past publications. Common,

too, are requests for bibliographies or for articles cited in center publications.

The center, with no university or other outside financial help beyond several small grants, supports itself through an annual sustaining membership program conducted almost entirely through direct mail. Suggested fees range from \$25 to \$100, although no limit is set. The center's director is a journalism professor who counts the time devoted to the center as donated. The paid staff consists of one full-time office manager and six or so part-time graduate and undergraduate assistants.

Each year the center's Freedom of Information Conference brings together communication workers and critics for their observations on such conflicts of communication, governmental, and social interests as may be of current concern. The 1963 conference explored pressures and censorship blows aimed at books and school reading lists. Last year's theme dealt with movie censorship and was cosponsored by the Motion Picture Association of America. The center—ALA relationship was begun several years ago when the center was able to help produce the Newsletter on Intellectual Freedom for the ALA during a period when it might otherwise have been discontinued.

PETER JENNISON, executive director of the National Book Committee, chairman of the panel discussion, ended the session with a challenging suggestion:

We have been warned several times at this conference, and the evidence is growing, that we may be facing a coalition of the Citizens for Decent Literature groups with politically motivated groups whose purpose is also to abridge free inquiry and the freedom to read. Perhaps we should therefore consider seriously a consortium of organizations committed to the defense of these principles. The National Book Committee will shortly reconvene its Commission on the Freedom to Read to try to give substance to the recommendations in the Merton-McKeon-Gellhorn report. I believe the National Book Committee might also welcome the responsibilityreflecting as it does education, business, and communications, as well as writing, publishing, library service, and bookselling-of providing the rallying point for this NATO of the mind, this Intellectual Freedom Treaty Organization.

At the very least, let us not leave this conference, as so many diplomats depart from international conferences, with fat documents and slim hopes.



## Appendix

## Discussion Group Recommendations

The participants met in four discussion groups at intervals throughout the conference. Group 1 was asked to outline concrete proposals, policies, and procedures for a program of legal assistance to libraries in supporting the Library Bill of Rights. Groups 2, 3, and 4 were asked to find ways of giving direct and practical assistance to librarians. The discussion group leaders, all members of the Intellectual Freedom Committee, were: Group 1, Archie McNeal; Group 2, Ernest Miller; Group 3, Everett Moore; Group 4, Ervin Gaines.

#### Discussion Group 1

#### It is recommended that:

- 1. A full-time legal counsel of ALA who will devote time wholly to support of the Library Bill of Rights with special emphasis on defense against censorship action be appointed to be a member of headquarters staff and to be responsible to the executive director. Counsel should work closely with and be responsive to the needs recognized by the ALA Intellectual Freedom Committee. Duties suggested:
- a. Compile list of volunteer attorneys who may be available for aid and consultation in combatting censorship in local communities. Lists of attorneys available at ACLU headquarters in New York may be one source. Results of questionnaire and other inquiries by ALTA may be source of information of lawyers who are members of boards of trustees.

b. Distribute information on current censorship legal activity to local attorneys and attorneys on boards of trustees as noted above.

c. Provide counseling service to local libraries and intellectual freedom committees, national, state, and county, as requested and provide for retaining counsel when situation goes beyond consulting stage.

d. File friend-of-the-court briefs in censorship cases when deemed advisable.

e. Act as spokesman for ALA in opposing censorship utilizing all communication media.

2. ALA and state library associations strengthen effectiveness of intellectual freedom committees at national and state levels by giving them blanket authority to act in the name of the Association in censorship cases without being obliged to request executive board approval in each case.

3. The Executive Board of ALA explore the

possibility of providing job financial security for the individual librarian whose job may be jeopardized by resistance to censorship activity. A grant from a foundation or support in terms of job potential in large library systems are two possible sources for this insurance.

4. In view of the urgency of the need for the establishment of the program outlined in Recommendation 1, an amount of \$2 be included in the dues collection of every member of the Association earmarked exclusively for the implementation of this program. We feel that this provision affects and supports every member of the ALA.

#### Discussion Group 2

#### It is recommended that:

- 1. The most important step in preparing to do battle against the tendencies toward censorship in our time is the identification of individuals and groups within the community who can be depended upon to speak up on the side of intellectual freedom when an issue arises. This should mean formally organized Friends of the Library when possible, but informal identification of, talking with, and convincing key individuals in the community are useful also, i.e., social workers, booksellers, editors, teachers, professors, ministers. As imposing a list as possible should be credited.
- 2. ALA promote the organization of Freedom to Read Committees within other local organizations and the membership of librarians on such committees. Examples: state CLU chapters, PTA councils, state teachers associations, Leagues of Women Voters, councils of churches, etc., also as imposing a list as possible.

3. State intellectual freedom committees organize corps of professional consultants who can assist, professionally and legally, local librarians in distress.

- 4. State intellectual freedom committees or state library extension agencies should have loan and sale stocks of relevant documents, bibliographies, and procedures for immediate availability to local librarians, teachers, and others who may need them.
- 5. Segregation of books on a closed shelf because of their ideas, rather than for their physical protection only, is a form of labeling and

contrary to the principles of intellectual freedom.

6. The need for providing librarians with procedures for effective handling of censorious activities as they arise be explored, with emphasis on the need for remaining calm, obtaining time for careful consideration, and sympathetic listening to the position of those who object to materials in libraries.

7. When an issue is joined, immediate and full publicity should be given in local press, wire services, book trade press, and library press.

8. Because of the special concern librarians have for intellectual freedom for children, early convening of a similar conference to work toward a consensus on the extent to which access of children to adult materials should be guided is necessary.

9. The library profession work toward a system of tenure which would protect competent librarians from unjust treatment. Devices like certification of libraries, censure of offending institutions (à 1a AAUP), pressure of state and local professional associations, and state tenure legislation should be considered and implemented.

10. ALA work toward a national secretariat supported by a variety of national associations to establish a central information service, a corps of professional, public relations, and legal consultants, organized to provide prompt on-the-spot assistance to local librarians, in many instances through the help of previously recruited local consultants.

#### Discussion Group 3

#### It is recommended that ALA:

1. Undertake the development of a Librarian's Bill of Responsibilities which would state the obligations of every librarian to carry out the principles enunciated in the Library Bill of Rights. As Frederick Wagman has pointed out, "Libraries must be the agents for the dissemination of new and daring ideas, and of controversial and unpopular opinion." Librarians, therefore, must accept the responsibility for maintaining the library as a free agency for access to ideas and information.

2. a) Pursue energetically the means for direct cooperation with other groups and organizations with which we can make common cause in defending intellectual freedom. Included would be such groups as: National Council for Teachers of English, National Education Association, American Civil Liberties Union, American Book Publishers Council, American Jewish Congress, National Congress of Parents and Teachers, National Association for the Advancement of Colored People, Authors Guild, Association of University Professors, Freedom of Information Cen-

ter, National Council of Churches of Christ in America, and other social action, education, and religious organizations. ALA should urge state and regional associations to work closely with local branches of these groups. b) Recommend to the National Book Committee the establishment of a coalition of organizations concerned with the freedom to read.

3. Establish an office to promote and protect the interests of intellectual freedom. This office should assume the responsibility for the collection and dissemination of information about problems of censorship and other pressures tending to undermine the freedom of libraries to provide full and varied materials for all the people they serve. This office should be ready to give assistance through state and regional associations or directly to individual librarians where it is needed. This office would develop programs for providing appropriate legal and financial advice and assistance. This office would seek to coordinate the intellectual freedom programs of the local, state, and regional library associations. It would be responsible for wider distribution of the Newsletter on Intellectual Freedom.

4. Sponsor a group insurance plan for librarians, similar to those available to other professional groups, for the protection of those who are deprived of employment as a result of the exercise of their professional responsibilities in upholding the Library Bill of Rights. This plan should provide for salary continuation and legal fees.

5. Make a study of the principle of accreditation of public libraries which would enable the ALA to recognize the success or failure of libraries to achieve the standards of free access to ideas and information implied in the library Bill of Rights. Policies and procedures of such organizations as the American Association of University Professors should be studied for possible application in cases of library censorship and other pressures against the freedom to read, where the security or the authority of librarians is jeopardized.

6. Stimulated by findings of the Fiske study, undertake a study to determine the prevalence

of internal censorship in libraries.

#### Discussion Group 4

It is recommended that:

- 1. No preconditions be placed on the availability of books for adults. The suitability of material for minors should not determine selection for adults.
- 2. Library associations become actively involved in all questions of censorship at the local level.
  - 3. Information on intellectual freedom be made

available through: distribution of the Intellectual Freedom Newsletter to ALA membership; establishing an intellectual freedom award; publicizing successful as well as "horror story" intellectual freedom incidents; gathering intellectual freedom facts and cases beyond library field; determining how legal aid and moral support can be provided for those in difficulty; and providing articles to legal and other journals on intellectual freedom problems.

4. ALA engage in political activity by lining up local people willing to speak for books under attack and using TV, radio, papers, etc., to publicize through spot announcements freedom to

read and libraries.

5. ALA develop a defense fund which will be available to defend librarians who become legally involved and develop coordination with national legal services.

- 6. ALA cooperate with like organizations in education and action on intellectual freedom matters. National action at the top level should be translated into local action through state and local membership. An integral part of this program should be to formulate intellectual freedom committees in all states and get them ready to function in case of need.
  - 7. Library schools be encouraged to include

intellectual freedom units in their curricula. Prepare experimental method sessions and case books for such use because emotional as well as intellectual involvement is required to succeed.

8. ALA promote research in the intellectual freedom field and formulate questions for inter-

disciplinary research.

9. Radio and TV stations be encouraged to use the intellectual freedom theme as story lines in such programs as Mr. Novak and The Defenders.

10. ALA request publishers, foundations, etc.. to support efforts, or assess the members of co-

operating organizations for support.

11. ALA reaffirm the basic responsibility of libraries to provide the resources for and encourage the unfettered and inquiring mind through discussion groups, etc.

12. ALA set up a central office to handle censorship matters headed by a person skilled in

public relations.

- 13. In rem proceedings be studied with the view toward maximizing their use in place of proceedings against individuals which tend to be destructive of character.
- 14. A request be sent to ALA's Editorial Committee at the Midwinter Meeting that the proceedings of the Intellectual Freedom Conference be published with the least possible delay.

## Library Bill of Rights

The Council of the American Library Association reaffirms its belief in the following basic policies which should govern the services of all libraries:

1. As a responsibility of library service, books and other reading matter selected should be chosen for values of interest, information and enlightenment of all the people of the community. In no case should any book be excluded because of the race or nationality or the political or religious views of the writer.

2. There should be the fullest practicable provision of material presenting all points of view concerning the problems and issues of our times, international, national, and local; and books or other reading matter of sound factual authority should not be proscribed or removed from library shelves because of partisan or doctrinal disapproval.

3. Censorship of books, urged or practiced by volunteer arbiters of morals or political opinion or by organizations that would establish a coercive concept of Americanism, must be challenged by libraries in maintenance of their responsibility to provide public information and

enlightenment through the printed word.

4. Libraries should enlist the cooperation of allied groups in the fields of science, of education, and of book publishing in resisting all abridgment of the free access to ideas and full freedom of expression that are the tradition and heritage of Americans.

5. The rights of an individual to the use of a library should not be denied or abridged because of his race, religion, national origins or political views.

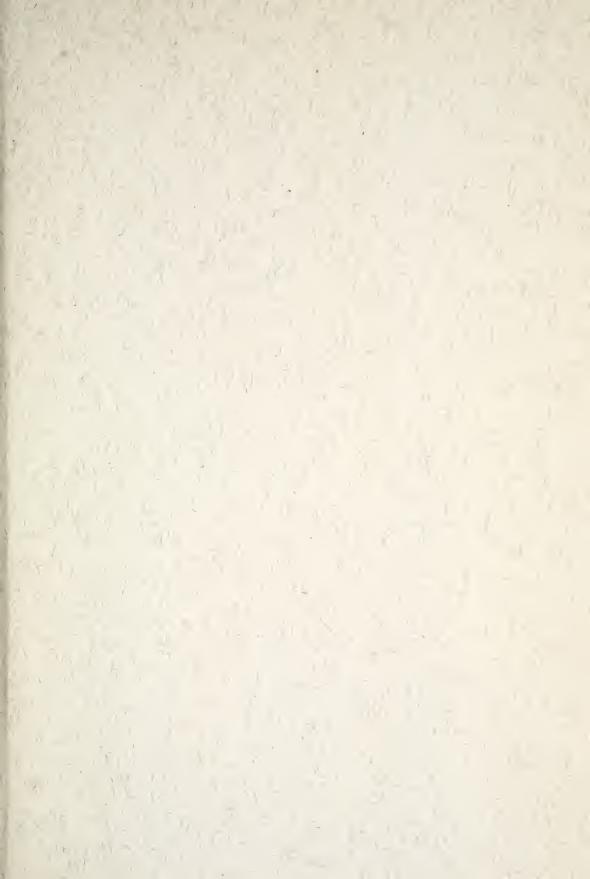
6. As an institution of education for democratic living, the library should welcome the use of its meeting rooms for socially useful and cultural activities and discussion of current public questions. Such meeting places should be available on equal terms to all groups in the community regardless of the beliefs and affiliations of their members.

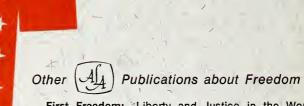
Adopted June 18, 1948, amended February 1, 1961, by the ALA Council. By official action of the Council on February 3, 1951, the Library Bill of Rights shall be interpreted to apply to all materials and media of communication used or collected by libraries.



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